

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 24TH MAY 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

1 MINUTES

A MINUTES OF MEETING TUESDAY, 26 APRIL 2016 OF DEVELOPMENT CONTROL COMMITTEE

(Pages 3 - 6)

B MINUTES OF MEETING WEDNESDAY, 4 MAY 2016 OF DEVELOPMENT CONTROL COMMITTEE

(Pages 7 - 8)

2 DECLARATIONS OF ANY INTERESTS

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.

3 PLANNING APPLICATIONS TO BE DETERMINED

The Director of Customer and Digital has submitted eleven 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>

A 15/00953/FULMAJ - 127A STATION ROAD, CROSTON, LANCASHIRE, PR26 9RP

(Pages 9 - 26)

B 15/01040/OUT - 127A STATION ROAD, CROSTON, LANCASHIRE, PR26 9RP

(Pages 27 - 42)

C	16/00152/FUL - TOWN LANE FARM TOWN LANE HESKIN CHORLEY PR7 5QA - TO FOLLOW	
D	16/00236/OUTMAJ HOSPITAL CAR PARK, PRESTON ROAD, CHORLEY	(Pages 43 - 58)
E	16/00116/OUTMAJ - BONNY GREENHALGH AND CO. INDUSTRIAL PREMISES, BACK ASHBY STREET, CHORLEY	(Pages 59 - 76)
F	16/00258/OUT - BRINSCALL PLUMBING AND BUILDING SUPPLIES, 17 HARTINGTON ROAD, BRINSCALL	(Pages 77 - 92)
G	16/00359/FUL - LAND 35M WEST OF 19 BANNISTER LANE, ECCLESTON	(Pages 93 - 106)
H	16/00263/FUL - 66 CEDAR FIELD, CLAYTON-LE-WOODS, CHORLEY, PR6 7RW	(Pages 107 - 112)
I	16/00277/FUL GREEN FARM, WOOD LANE, HESKIN, CHORLEY, PR7 5NP - TO FOLLOW	
J	16/00357/CB3 - COTSWOLD HOUSE, COTSWOLD ROAD, CHORLEY, PR7 3HW	(Pages 113 - 120)
K	16/00261/FUL - BARLOW TRAILERS & LIVESTOCK, DENIZES FARM, SOUTHPORT ROAD	(Pages 121 - 132)
4	APPEALS AND OTHER DECISIONS	
	Report of Director (Customer and Digital) to follow	
5	ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR	

GARY HALL
CHIEF EXECUTIVE

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MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 26 April 2016

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

OFFICERS: Paul Whittingham (Development Control Manager), Adele Hayes (Principal Planning Officer), Iain Crossland (Planning Assistant), Alex Jackson (Legal Services Team Leader), Ruth Rimmington (Democratic and Member Services Officer) and Nina Neisser (Democratic and Member Services Officer)

16.DC.187 Minutes of meeting Tuesday, 5 April 2016 of Development Control Committee

RESOLVED - That the minutes of the Development Control Committee held on 5 April 2016 be approved as a correct record for signature by the Chair.

16.DC.188 Declarations of Any Interests

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

16.DC.189 Planning applications to be determined

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

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

a 15/01246/FUL - Land Adjacent To 75 Towngate, Ecclestone

Registered speakers: Dr Ann Hanson (objector), Mike Miller (Parish / Town Councillor) and Kirsty Hopcroft (Agent).

A motion was proposed, and seconded, to approve the officer recommendation, but the Chair chose to take the vote on refusal first.

RESOLVED (11:2:2) – That full planning permission be refused.

Reason: The proposed development would cause severe harm to highway safety and the precise wording of the reason be delegated to officers in consultation with the Chair and Vice-Chair.

Councillor Keith Iddon left the meeting.

b 15/01057/FUL 145 Town Lane, Whittle le Woods

Councillor Keith Iddon returned to the meeting as the applicant began to address members.

Registered speaker: Anne Patrick (objector).

RESOLVED (13:1:1): Full planning permission approved, subject to conditions within the report and the addendum.

Councillor Danny Gee left the meeting.

c 16/00118/FUL - Gelston, Dawson Lane, Whittle-Le-Woods, Chorley, PR6 7DT

Councillor Danny Gee returned to the meeting as the applicant began to address members.

Registered speaker: Neil Ward (Applicant).

RESOLVED (Unanimously) - Approval granted to the Section 73 application to vary condition 8 of planning permission 14/00508/FUL to "no more than 99 children shall be in attendance at the nursery at any one time", subject to conditions.

Councillor Paul Clark left the meeting.

d 16/00242/REM - HW Moon, 56 Wood Lane, Heskin, Chorley, PR7 5NU

Councillor Paul Clark returned to the meeting as members began to discuss the application.

RESOLVED (Unanimously) – Reserved matters consent granted subject to conditions within the report and subject to no material representations being received before the expiry of the consultation period on 29 April 2016 with the decision delegated to the relevant Director in consultation with Chair and Vice-Chair of Committee.

e 16/00132/FULMAJ - W M Lawrence And Sons, Lyons Lane, Chorley, PR6 0PJ

RESOLVED (Unanimously) - Approval granted to the Section 73 application to vary condition 3 (approved plans) attached to planning approval 13/00299/FULMAJ to enable repositioning of the proposed dwellings and to change the approved house types, subject to conditions.

f 16/00169/FUL - Wilcocks Farm Caravan Site, Dean Head Lane, Rivington, Bolton, BL6 7SJ

Registered speaker: Julie Wood (Applicant).

RESOLVED (14:1:0) - Approval granted to the Section 73 application for the variation of condition 9 to permission granted under application 02/00722/FUL to allow continuous occupation of caravan pitches between 1st March and 31 October subject to a condition that allows the pitches to be occupied by touring caravans only. The precise wording of the reason be delegated to officers in consultation with the Chair and Vice-Chair.

g 16/00162/FUL - Woodview, Preston Nook, Eccleston

RESOLVED (Unanimously) - Full planning permission approved, subject to conditions in the report and the addendum.

16.DC.190 Appeals and other decisions

The Director of Public Protection, Streetscene and Community submitted a report for information on planning appeals received from Lancashire County Council and other bodies between 8 February and 26 April 2016.

There were two planning appeals lodged, three planning appeals dismissed and one enforcement appeal lodged.

RESOLVED – That the report be noted.

Chair

Date

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MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE **Wednesday, 4 May 2016**

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

OFFICERS: Paul Whittingham (Development Control Manager), Alex Jackson (Legal Services Team Leader), Nina Neisser (Democratic and Member Services Officer) and Caron Taylor (Senior Planning Officer)

APOLOGIES: Councillor Mick Muncaster

16.DC.191 Declarations of Any Interests

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

16.DC.192 Planning application to be determined

The Director of Public Protection, Streetscene and Community submitted one report for planning permission consideration.

In considering the application, members of the Development Control Committee took into account the agenda report, the addendum, and the verbal representations and submission provided by officers and individuals.

a 16/00337/REMAJ - Land 200M North of Derian House, Euxton Lane, Chorley

Registered speaker: Bill Davidson (Agent).

RESOLVED (unanimously) - That reserved matters planning permission be approved, subject to a legal agreement and conditions set out in the report and addendum.

Chair

Date

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Item 3a	15/00953/FULMAJ
Case Officer	Ian Heywood
Ward	Lostock
Proposal	Application for the construction of nine dwellings with associated access road, driveways and private gardens and the refurbishment and extension of the existing bungalow at 127a Station Road (to include the addition of a first floor and new roof), following demolition of existing buildings.
Location	127A Station Road, Croston, Lancashire
Applicant	Freedom House Investments Limited
Consultation expiry:	21 April 2016
Decision due by:	25 May 2016

Recommendation
Permit Full Planning Permission

Executive Summary

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

Representations

<p>Parish Council: Croston Parish Council has objected to the application. The grounds for objection cited are:</p> <ul style="list-style-type: none"> • Adverse effect on the residential amenity of neighbours and users of the recreation ground • Unacceptably high density and overdevelopment of the site (previous approved applications 12/00942/FUL and 14/00315/FUL were for significantly smaller numbers of dwellings). • Visual impact of the development. • Effect of the development on the character of the neighbourhood. • The proposed development is over-bearing and out of character in terms of its appearance compared with existing developments in the vicinity. Photographs from the applicant’s own Heritage Statement demonstrate clearly the absence of 2.5 storey properties in the vicinity. • The bungalow at 127A Station Road lies within the Croston Conservation Area and the remainder of the development is directly adjacent to the conservation area. The development will adversely affect the character and appearance of the Conservation Area. • The development would adversely affect highway safety and the safety and convenience of road users due to the higher level of traffic through an already dangerous area of Station Road.
In total 10 representations have been received which are summarised below
Objection
Total No. received: 9
<ul style="list-style-type: none"> • Highways safety. • Safety of pedestrians using Footpath no.6. • Increased likelihood of flooding/drainage issues. • Overbearing impact – excessive height of proposed buildings • Adverse impact on the Croston Conservation Area. • Loss of trees.
Support
Total No. received: 1

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	No objections

Lancashire Lead Flood Authority	Final comments awaited
Lancashire County Council Archaeology	No objections
United Utilities	No objections, subject to conditions
Chorley Council – Waste & Contaminated Land Officer	No objections, subject to conditions
Chorley Council Tree Officer	Recommends that some trees are retained and pruned and others that must be removed have replacements replanted.
Greater Manchester Ecology Unit	No objections, subject to conditions
Environment Agency	Standing advice

Assessment**Description of the site**

1. The site is located within the settlement of Croston, the westernmost section of which being located within the Croston Conservation Area. It currently includes a bungalow and a former roofing contractor's materials storage yard that includes a number of relatively modern but dilapidated storage buildings. The site has been closed for business for at least four years to the knowledge of this officer. Part of the site is currently the eastern extremity of the domestic garden to no. 127 Station Road.
2. The site now displays a neglected and unattractive prospect that is beginning to cause visual blight to the appearance of Croston Conservation Area.
3. Consent has previously been granted for the redevelopment of the site for housing.
4. A number of trees are located around the eastern and south eastern site boundaries and an area of public open space is located immediately to the north, which is served by a public footpath, number 6, which crosses the western extremity of the site.
5. An existing vehicular access serves the site from Station Road. The rear gardens to properties on Out Lane lie beyond the southern and western site boundaries, but the properties associated with these domestic gardens are located some way beyond these boundaries with the site. Stables and other outbuildings are located within the hinterland between the aforementioned properties and the site boundary.
6. The topography of the area is generally level however there is a quite significant fall in levels at the eastern side of the site, where the ground is approximately 1 metre lower than that at the entrance to the site on Station Road. The majority of the site, with the exception of the western extremity including the current bungalow, is within Flood Zone 2. Historically it is noted that the site floods during periods of prolonged rainfall.
7. Two further, concurrent, applications have been submitted by the same applicant that seek permission for two further dwellings in total, one seeking outline consent and the other full planning permission. The site overall will therefore comprise 11 new dwellings plus the extended bungalow that will become a house.

Assessment**Principle of the Development**

8. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 10; Adopted Chorley Local Plan 2012 – 2026, policy BNE1.
9. The Adopted Chorley Local Plan 2012 – 2026, policy BNE1 states, *Planning Permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development: The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials;*
10. In this case the proposed development includes a mixture of detached and semi-detached properties that include a limited amount of accommodation within the roof space, however this does not include any dormers and instead provides natural light via a number of rooflights. Whilst this style or size of property is not prevalent in this part of Croston, there are a number of semi-detached and detached dwellings dispersed throughout the settlement.
11. The plot ratios and plot densities are typical of many modern housing developments, indeed this part of Croston is characterised by a close grain to the development form. An appropriate choice of materials, which will be controlled by condition, will ensure that appropriate materials are utilised throughout the development.

12. The proposed site plan conforms to the Council's standards in terms of distances to boundaries.
13. Overall the proposed development is considered to be in conformity with the aforementioned policy.

Loss of Employment Land:

14. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 10.
15. Policy 10 of the Core Strategy seeks to protect employment land. Given the location of the site, within an entirely residential neighbourhood on the edge of Croston Conservation Area, it is considered that employment use is not the most suitable or appropriate for this location.
16. Overall it is considered that the change from employment to residential will result in an enhancement to the amenity of surrounding properties. The site has been empty, unused and marketed for in excess of four years without any interest being shown.
17. Consent has previously been granted for residential redevelopment of this site in 2012 and 2014, so in effect the principle of this form of development on this site has already been established.
18. The proposed development is considered to accord with the aforementioned policy.

Affordable Housing:

19. Pertinent policies are: adopted Central Lancashire Core Strategy (2012), policy 7.
20. This policy seeks to secure the provision of affordable housing, however an exception to this is where a lack of financial viability is demonstrable. In this case the applicant has demonstrated an overall lack of financial viability for the scheme, with this information being verified by the Councils valuation surveyor.
21. This being the case there is no requirement for the provision of affordable housing with the proposed development.

Development on domestic garden areas

22. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026.
23. Local Plan Policy HS3 states, *In settlements applications for development within private residential gardens on sites not allocated in the Housing Allocations Policy will only be permitted for:*
 - *Appropriately designed and located replacement dwellings where there is no more than one for one replacement.*
 - *The conversion and extension of domestic buildings.*
 - *Infill development on gardens. Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*
 - *When assessing applications for garden sites, the Council will have regard to:*
 - *Sustainability, such as access to public transport, schools, businesses and local services and facilities. Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.*
24. In this case the situation is slightly different to that described in the policy. Only a small part of the rear garden to 127 Station Road, which has no street frontage, is proposed for development, and will be accessed entirely from the rear via a new access drive. There will therefore be no material impact upon the street frontage to Station Road.

25. The site is considered to be a sustainable location, located at the centre of the settlement with access to bus and rail services close by and a range of other facilities, including schools, are available within the vicinity.
26. The proposal is also considered to maintain relationships between neighbouring properties such that amenity is not materially harmed and the distinctive character of the area will essentially be maintained.
27. Overall the development is considered to be in conformity with the aforementioned policy.

Impact on the appearance of a conservation area and the significance of a designated heritage asset

28. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the 'Special considerations affecting planning functions'.
29. Section 66 states:
 - *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
 - *Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*
30. Section 72 states:
 - *In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
The provisions referred to in subsection(1) are the planning acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953
31. Paragraphs 129, 131, 132, 133, 134, 136 and 137 of the Framework (National Planning Policy Framework) are pertinent as are policy 16 of the Adopted Central Lancashire Core Strategy (2012) and policy BNE8 of the Adopted Chorley Local Plan 2012 – 2026.
32. Paragraph 129 states that, '*Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.*'
33. Paragraph 131 states that, '*in determining planning applications, local planning authorities should take account of:*
 - *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *The desirability of new development making a positive contribution to local character and distinctiveness.*'
34. Paragraph 132 states, '*When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset*

or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'*

35. Paragraph 133 states, *'Where a proposed development will lead to substantial harm to or loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
 - *The nature of the heritage asset prevents all reasonable uses of the site; and*
 - *No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - *Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
 - *The harm or loss is outweighed by the benefit of bringing the site back into use.'*
36. Paragraph 134 states, *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*
37. Paragraph 136 continues by stating that, *'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'*
38. Paragraph 137 states that, *'Local planning authorities should look for opportunities for new development within Conservation Areas or World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the heritage asset should be treated favourably.'*
39. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, *'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by: Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*
40. The Adopted Chorley Local Plan (2015), Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*
41. In this case it is the potential impact on the appearance of the Croston Conservation Area and the significance of this designated heritage asset that is of prime consideration.
42. The current site is beginning to have a negative impact on the appearance of the area. Buildings are becoming dilapidated and the plethora of old roofing materials and other detritus stored around the site are causing visual blight. Whilst most of the site is screened from general view, the extent of the 'grot' is beginning to spread.
43. The majority of the new development will be screened from view by other dwellings and buildings that surround the site. Whilst glimpses of the new dwellings will be available in between existing buildings it is considered that the use of appropriate and complimentary materials will allow the development to sit harmoniously within its setting.

44. The conversion and extension of the current bungalow to form a detached house will create further unity with other houses within the streetscene of Station Road and engender a more harmonious character to this location.
45. As such the proposed development is considered to preserve or enhance the appearance of the Croston Conservation Area and thus to be in conformity with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
46. It is also therefore considered to sustain or enhance the significance of this designated heritage asset and to therefore be in conformity with the above listed paragraphs of the Framework, policies and guidance.

Highway Safety and Parking

47. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policies BNE1 and ST4.
48. The Lancashire County Council Highways Engineer has examined the proposals, including the parking layout and the refuse vehicle tracking plan and concludes that the proposed development is acceptable in terms of highways safety and parking. Furthermore the proposal meets the parking standards as set out in the Local Plan.
49. As such the proposed development is considered to be acceptable in highways safety and parking terms. Suitably worded conditions will be used to ensure this.

Impact on the amenity of neighbours

50. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policy BNE1(b) and (g).
51. The proposed development can be seen to meet the Council's recommended interface distances to the site boundaries. This coupled with sympathetic designs for the proposed development and the interrelationships to existing properties enable the proposed development to be considered acceptable. In terms of impact on neighbour amenity. It is considered that there will be no material impact on the amenity currently enjoyed by existing neighbouring residential properties.
52. The proposed development is therefore considered to be in conformity with the aforementioned policies.

Ecology/Trees

53. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 22; Adopted Chorley Local Plan 2012 – 2026, policy BNE9. Also of relevance is the Framework, section 11.
54. The Greater Manchester Ecology Unit has commented that, subject to conditions and informatives, they have no objections to the proposed development. They are satisfied that the proposal will safeguard protected and endangered species and their habitats. Suitably worded conditions and informatives will ensure this.
55. The applicant has submitted a tree survey, tree protection plan and a methodology for tree protection. Suitably worded conditions will ensure that the trees being retained within the site will be adequately protected and, where necessary, strengthened to maintain appropriate coverage.

Flood Risk/Drainage

56. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 29.
57. The site is located within Flood Zone 2. The applicant has submitted a Flood Risk Assessment, which includes a number of recommendations for the proposed development and the design for the dwellings has included raised finished floor levels as part of the proposed mitigation measures.

58. United Utilities have commented that, subject to conditions and informatives being applied, they have no objections to the proposed development.
59. The Lancashire Lead Flood Authority has not yet made their final comments, despite numerous reminders.
60. Evidence from other recent development sites within the area suggests that engineering solutions are available to successfully control the flow of surface water from new developments such that they do not cause problems of exacerbated surface water flooding post completion. A suitably worded condition will enable similar methods to be utilised on this site.
61. As such the proposed development is considered to be in conformity with the aforementioned policy and suitably worded conditions and informatives will be included to ensure this.

Sustainable Resources

62. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 27.
63. The Code for Sustainable Homes code levels for new dwellings is no longer applicable, however as an alternative the Council requires applicants to demonstrate that their development proposals will achieve a minimum 'Dwelling Emission Rate' of 19% above 2013 Building Regulations. Suitably worded conditions will secure this.

Open Space

64. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policies HS4A and HS4B.
65. These policies set out the contribution required for open space and playing pitches resultant from new residential developments. In this case the applicant has provided financial viability information, which has been examined and verified by the Council's own valuation surveyor. In her opinion the submitted financial information has been accepted and on this occasion the lack of viability within the development is such that no financial contribution will be required for either open space or playing pitches.

CIL

66. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Overall Conclusion

67. The application is recommended for approval, subject to conditions.

Planning Policies

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the 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

Ref: 80/00443/CLEUD **Decision:** WDN **Decision Date:**
20 June 1980

Description: **Established Use Certificate - Builders Yard**

- Ref:** 80/00652/FUL **Decision:** PERFPP **Decision Date:**
4 August 1980
Description: Change of use of shop to office and extension to bungalow
- Ref:** 80/00674/FUL **Decision:** PERFPP **Decision Date:**
18 August 1980
Description: Change of use of general industrial and builders yard to builders yard
- Ref:** 12/00628/FUL **Decision:** WDN **Decision Date:**
20 August 2012
Description: To demolish the existing dwelling (127a) and other out buildings situated on the site and construct a replacement dwelling fronting Station Road and also 5 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping.
- Ref:** 12/00629/CON **Decision:** WDN **Decision Date:**
20 August 2012
Description: To demolish the existing dwelling (127a) and other out buildings situated on the site (development associated with 12/00628/FUL).
- Ref:** 12/00942/FUL **Decision:** PERFPP **Decision Date:**
12 December 2012
Description: Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)
- Ref:** 12/00943/CON **Decision:** PERCAC **Decision Date:**
12 December 2012
Description: Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON.
- Ref:** 13/00496/FUL **Decision:** WDN **Decision Date:**
27 June 2013
Description: Residential development to land at 127A Station Road Croston to include conversion of the existing bungalow to form two dwellings and the erection of five new dwellings with associated access road, driveways, private gardens and communal landscaping
- Ref:** 13/01100/FUL **Decision:** WDN **Decision Date:**
13 January 2014
Description: S.73 Application to vary condition 3 to consent granted under 12/00942/FUL to : Retention of existing bungalow and erection of 4 detached dwelling houses on former builders merchants yard.
- Ref:** 14/00315/FUL **Decision:** PERFPP **Decision Date:**
4 November 2014
Description: Residential development to land at 127A Station Road Croston to include retention of the existing bungalow and the erection of four new dwellings with associated access road, driveways, private gardens and communal landscaping (Resubmission of withdrawn application: 13/00496/FUL)

Ref: 15/01040/OUT **Decision:** PCO **Decision Date:**
Description: Outline application for the construction of a single dwelling with
associated parking with all matters reserved

Ref: 16/00292/FUL **Decision:** INV **Decision Date:**
Description: Erection of single detached dwelling with integral garage and
associated parking following demolition of existing storage building.

Suggested Conditions

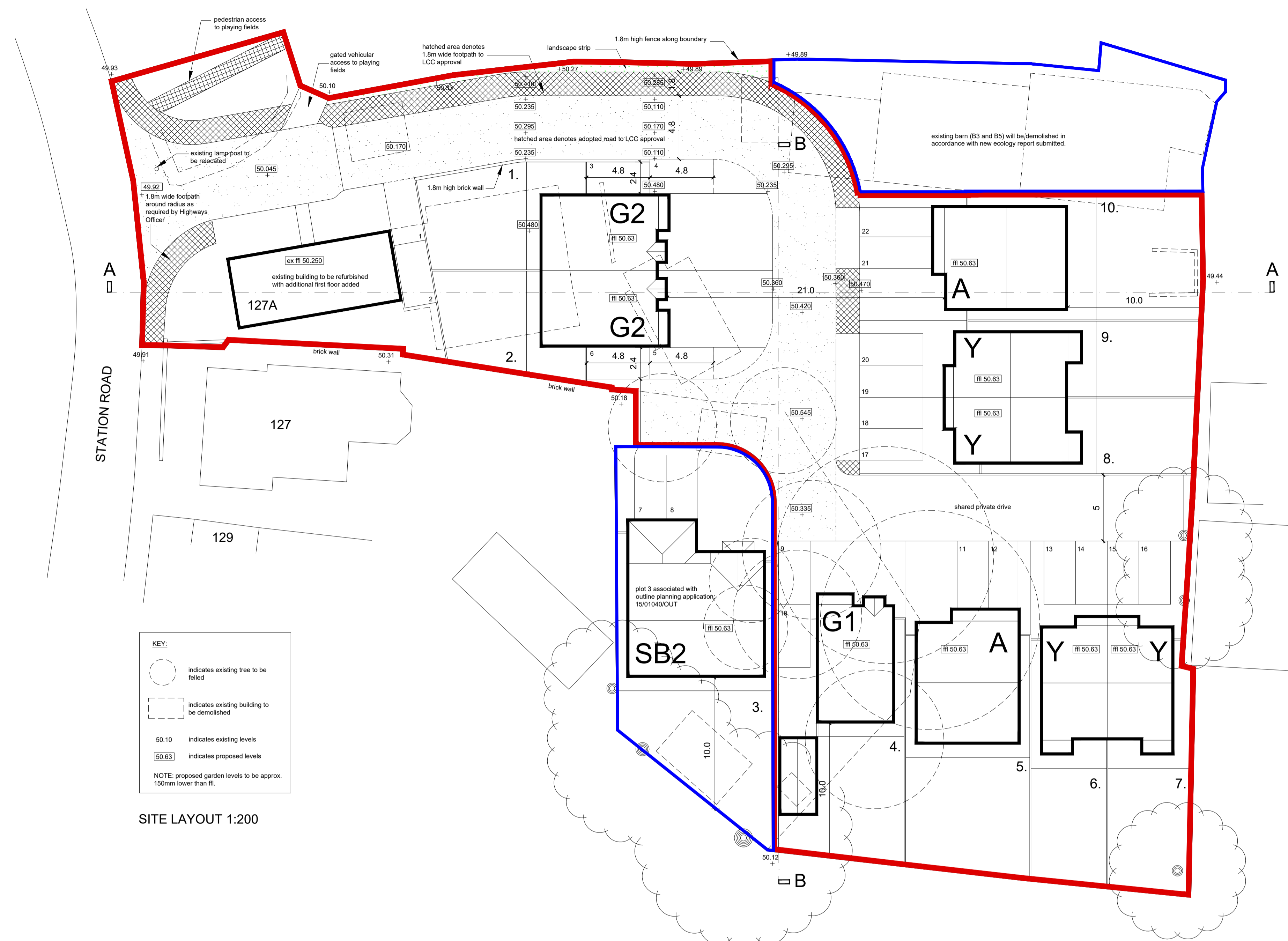
No.	Condition																					
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																					
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 562 1265 969"> <thead> <tr> <th data-bbox="327 562 791 622">Title</th> <th data-bbox="791 562 1029 622">Drawing Reference</th> <th data-bbox="1029 562 1265 622">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="327 622 791 683">Location Plan</td> <td data-bbox="791 622 1029 683">15/048/L02 Rev A</td> <td data-bbox="1029 622 1265 683">15.04.2016</td> </tr> <tr> <td data-bbox="327 683 791 743">Site Plan</td> <td data-bbox="791 683 1029 743">15/048/P01 Rev G</td> <td data-bbox="1029 683 1265 743">25.04.2016</td> </tr> <tr> <td data-bbox="327 743 791 804">Proposed Floor Plans & Elevations</td> <td data-bbox="791 743 1029 804">15/048/P02 Rev C</td> <td data-bbox="1029 743 1265 804">25.04.2016</td> </tr> <tr> <td data-bbox="327 804 791 864">Proposed Floor Plans & Elevations</td> <td data-bbox="791 804 1029 864">15/048/P03 Rev B</td> <td data-bbox="1029 804 1265 864">30.03.2016</td> </tr> <tr> <td data-bbox="327 864 791 925">Proposed Refurbishment of Existing Bungalow</td> <td data-bbox="791 864 1029 925">15/048/P04</td> <td data-bbox="1029 864 1265 925">21.09.2015</td> </tr> <tr> <td data-bbox="327 925 791 969">Tree Protection Plan</td> <td data-bbox="791 925 1029 969">5145.02</td> <td data-bbox="1029 925 1265 969">21.09.2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Location Plan	15/048/L02 Rev A	15.04.2016	Site Plan	15/048/P01 Rev G	25.04.2016	Proposed Floor Plans & Elevations	15/048/P02 Rev C	25.04.2016	Proposed Floor Plans & Elevations	15/048/P03 Rev B	30.03.2016	Proposed Refurbishment of Existing Bungalow	15/048/P04	21.09.2015	Tree Protection Plan	5145.02	21.09.2015
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3.	<p>In order to minimise the impacts on other protected species the following precautionary measures are required as part of the development hereby approved:</p> <ul style="list-style-type: none"> • Should any trenches or excavations be required, an escape route for animals that enter the excavation must be provided. • Ramps should be no greater than 45 degrees in angle. • Any holes dug should be securely covered to ensure no animals are trapped during works. • All excavations left open overnight or longer should be checked for mammals prior to the continuation of works or infilling. • Back filling shall be completed immediately after any excavations. • Contractors should be observant for protected species and should any species be found during works, then works should cease immediately and advice sought from a suitably qualified ecologist. <p>Reason: To safeguard protected and endangered species and their habitats</p>																					
4.	<p>Prior to the commencement of the development a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter lighting shall be installed in accordance with the approved plan.</p> <p>Reason: To safeguard protected and endangered species and their habitats and to ensure that any lighting (during construction and post development) be directed away from any of the retained trees.</p>																					
5.	<p>Prior to the commencement of the development opportunities for Biodiversity Enhancement shall be submitted to and approved in writing by the Local Planning Authority. These should include:</p> <ul style="list-style-type: none"> • Bat bricks and/or tubes within the new development • Bat boxes • Bird boxes • Native tree and shrub planting. <p>Thereafter the approved opportunities shall be incorporated into the development in accordance with the approved details and prior to the occupation of any of the</p>																					

	<p>dwellings hereby approved.</p> <p>Reason: To safeguard protected and endangered species and their habitats and provide biodiversity enhancements</p>
6.	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.</p> <p>Reason: To secure proper drainage.</p>
7.	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</p>
8.	<p>The development hereby permitted shall be implemented in accordance with the recommendations of the submitted Scott Hughes Flood Risk Assessment received on 4 February 2016 have been implemented.</p> <p>Reason: To minimise the risk of the development increasing the incidence of flooding in the area.</p>
9.	<p>The development hereby permitted shall be implemented in accordance with the submitted TBA Landscape Architects Tree Protection Plan and Method Statement have been implemented in full.</p> <p>Reason: To protect the trees being retained on the site.</p>
10.	<p>Due to the proposed sensitive end-use (residential housing & gardens), and the existing & former uses of the site as a depot/store, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial Phase 1 desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study (Phase 2 - site investigation) must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.</p> <p>Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment</p>

	<p>Agency, 2004). Further guidance and advice on producing the report can be obtained from the Contaminated Land Officer on 01527 515661.</p>
11.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
12.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
13.	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
14.	<p>Prior to any works commencing details of the proposed fenestration (windows, doors and other joinery), to include full details at a scale of not less than 1:10 shall be submitted to and agreed in writing by the Local Planning Authority. All works shall then be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To maintain the integrity of the historic area.</p>
15.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
16.	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No</p>

	<p>dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
<p>17.</p>	<p>Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>

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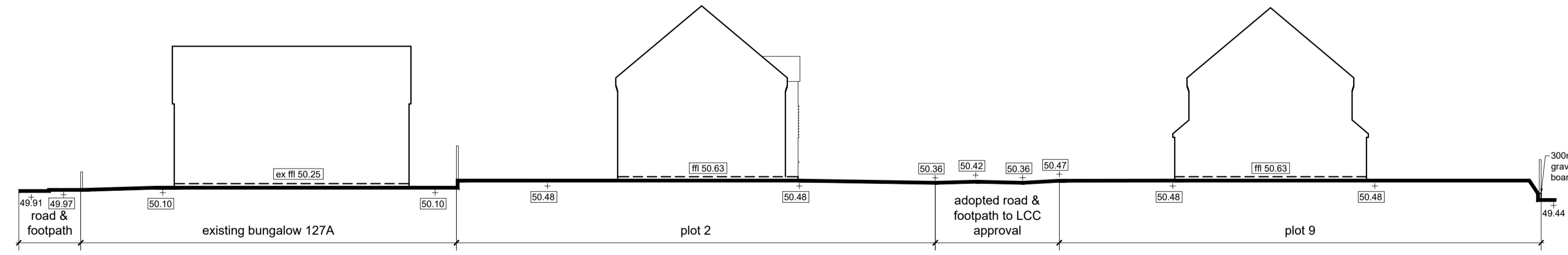


KEY:

- indicates existing tree to be felled
- indicates existing building to be demolished
- 50.10 indicates existing levels
- 50.63 indicates proposed levels

NOTE: proposed garden levels to be approx. 150mm lower than ft.

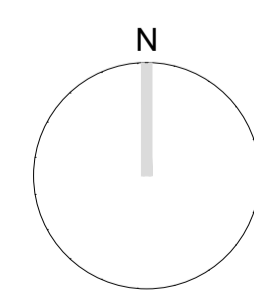
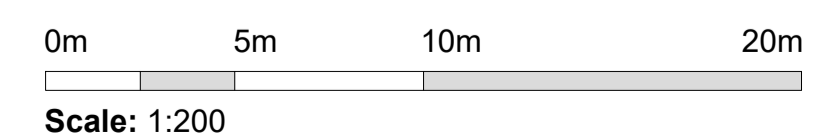
SITE LAYOUT 1:200



SECTION A-A 1:200

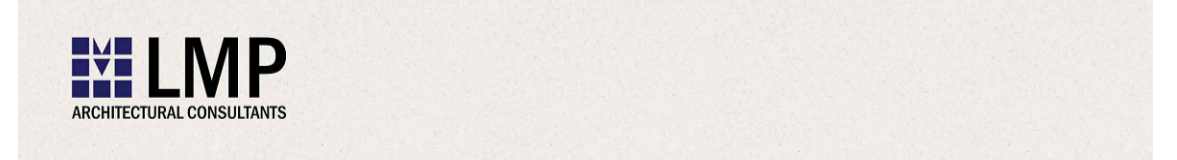


SECTION B-B 1:200



Revision Notes:

- A: Amendments made following client's request. WA 19/11/15
- B: Following Ecology Report, former Plot 3 (SB1) removed and existing barn (B3) retained until future ecology survey. Plot numbers updated to reflect amendment. Footpath width increased to 1.8m in accordance with S38 of the Highways Act 1980; layout amended to reflect this and further comments from Highways Officer. WA 17/12/15
- C: Proposed finished floor levels amended in conjunction with updated Flood Risk Assessment. WA 04/02/16
- D: Following updated Ecology Report, existing barn (B3) to be demolished. Amendments to layout made following client's request. WA 22/03/16
- E: Site sections included. WA 29/03/16
- F: Amendments made to layout due to width of shared private drive being increased to 5m. Red boundary amended to exclude Plot 3. WA 08/04/16
- G: Amendments made following comments from Highways Officer. WA 25/04/16



CLIENT
Ellwood New Homes Ltd

PROJECT NAME
Proposed Residential Development at

DRAWING NAME
127A Station Road, Croston, Preston

SCALE 1:200 @ A1 **DRAWN BY** WA **DATE** 18/09/15 **DRAWING NUMBER** 15/048/P01 **REVISION** G

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Item 3b **15/01040/OUT**

Case Officer **Ian Heywood**

Ward **Lostock**

Proposal **Outline application for the construction of a single dwelling with associated parking with all matters reserved.**

Location **127A Station Road,
Croston,
Lancashire
PR26 9RP**

Applicant **Freedom House Investments Limited**

Consultation expiry: **21 April 2016**

Decision due by: **25 May 2016**

Recommendation **Permit Full Planning Permission**

Executive Summary

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

Representations

<p>Parish Council: Croston Parish Council has objected to the application. The grounds for objection cited are:</p> <ul style="list-style-type: none"> • ‘The application adds to the unacceptably high density and overdevelopment of the site contained within application 15/00953/FULMAJ, which is yet to be determined (previous approved applications 12/00942/FUL and 14/00315/FUL were for significantly smaller numbers of dwellings). • This application would further adversely affect highway safety and convenience of road users due to the higher level of traffic through an already dangerous area of Station Road.’
<p>In total 1 representation has been received which is summarised below</p>
<p>Objection</p>
<p>Total No. received: 1</p>
<ul style="list-style-type: none"> • Increased likelihood of flooding/drainage issues. • Overbearing impact – excessive height of proposed buildings • Adverse impact on the Croston Conservation Area.

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	No objections
Lancashire Lead Flood Authority	Final comments awaited
Lancashire County Council Archaeology	No objections
United Utilities	No objections, subject to conditions
Chorley Council – Waste & Contaminated Land Officer	No objections, subject to conditions
Chorley Council Tree Officer	Recommends that some trees are retained and pruned and others that must be removed have replacements replanted.

Greater Manchester Ecology Unit	No objections, subject to conditions
Environment Agency	Standing advice

Description of the site

1. The site is located within the settlement of Croston, the westernmost section of which being located within the Croston Conservation Area. It currently includes a bungalow and a former roofing contractor's materials storage yard that includes a number of relatively modern but dilapidated storage buildings. The site has been closed for business for at least four years to the knowledge of this officer. Part of the site is currently the eastern extremity of the domestic garden to no. 127 Station Road.
2. The site now displays a neglected and unattractive prospect that is beginning to cause visual blight to the appearance of Croston Conservation Area.
3. Consent has previously been granted for the redevelopment of the site for housing.
4. A number of trees are located around the eastern and south eastern site boundaries and an area of public open space is located immediately to the north, which is served by a public footpath, number 6, which crosses the western extremity of the site.
5. An existing vehicular access serves the site from Station Road. The rear gardens to properties on Out Lane lie beyond the southern and western site boundaries, but the properties associated with these domestic gardens are located some way beyond these boundaries with the site. Stables and other outbuildings are located within the hinterland between the aforementioned properties and the site boundary.
6. The topography of the area is generally level however there is a quite significant fall in levels at the eastern side of the site, where the ground is approximately 1 metre lower than that at the entrance to the site on Station Road. The majority of the site, with the exception of the western extremity including the current bungalow, is within Flood Zone 2. Historic evidence has shown that the site floods during periods of prolonged rainfall.
7. Two further, concurrent, applications have been submitted by the same applicant that seek permission for ten further dwellings in total, one seeking full planning permission for one dwelling and the other for nine. The site overall will therefore comprise 11 new dwellings plus the extended bungalow that will become a house.

AssessmentPrinciple of the Development

8. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policy BNE1.
9. The Adopted Chorley Local Plan 2012 – 2026, policy BNE1 states, *Planning Permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development:*
The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials;
10. In this case the proposed development includes a detached property that includes a limited amount of accommodation within the roof space, however this does not include any dormers and instead provides natural light via a number of rooflights. Whilst this style or size of property is not prevalent in this part of Croston, there are a number of detached dwellings dispersed throughout the settlement.
11. The plot ratios and plot densities are typical of many modern housing developments, indeed this part of Croston is characterised by a close grain to the development form. An appropriate choice of materials, which will be controlled by condition, will ensure that appropriate materials are utilised throughout the development.
12. The proposed site plan conforms to the Council's standards in terms of distances to boundaries.
13. Overall the proposed development is considered to be in conformity with the aforementioned policy.

Development on domestic garden areas

14. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policy HS3.
15. Local Plan Policy HS3 states, *In settlements applications for development within private residential gardens on sites not allocated in the Housing Allocations Policy will only be permitted for:*
- a. *Appropriately designed and located replacement dwellings where there is no more than one for one replacement.*
 - b. *The conversion and extension of domestic buildings.*
 - c. *Infill development on gardens. Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*
- When assessing applications for garden sites, the Council will have regard to:*
1. *Sustainability, such as access to public transport, schools, businesses and local services and facilities. Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.*
16. All of the dwelling proposed and part of the access road will be located on the garden area of 127 Station Road.
17. The preamble to Policy HS3 confirms that the Council will resist proposals for garden development considered to harm the character and local amenity and biodiversity balance of an area and the policy confirms that proposals which significantly undermine amenity and harm the distinctive character of an area will be refused. As such development will only be considered to be acceptable in exceptional circumstances, subject to other material planning considerations.
18. There is no presumption in favour of developing this greenfield site (the National Planning Policy Framework excludes private residential garden curtilages in built up areas from the definition of previously developed land) as the Council has a deliverable five year housing supply including the additional buffer of 5%.
19. Whilst the development does involve development within garden land, the site is considered to be a sustainable location, located at the centre of the settlement with access to bus and rail services close by and a range of other facilities, including schools, are available within the vicinity. It is considered therefore to be consistent with the aims of the Framework and the thrust of policy HS3 and is acceptable in principle.

Impact on the appearance of a conservation area and the significance of a designated heritage asset

20. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the 'Special considerations affecting planning functions'.
21. Section 66 states:
- *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
 - *Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*
22. Section 72 states:
- *In the exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- The provisions referred to in subsection(1) are the planning acts and Part 1 of the Historic Buildings and Ancient Monuments Act 1953*
23. Paragraphs 129, 131, 132, 133, 134, 136 and 137 of the Framework (National Planning Policy Framework) are pertinent as are policy 16 of the Adopted Central Lancashire Core Strategy (2012) and policy BNE8 of the Adopted Chorley Local Plan 2012 – 2026.

24. Paragraph 129 states that, *'Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise conflict between the heritage asset's conservation and any aspect of the proposal.'*
25. Paragraph 131 states that, *'in determining planning applications, local planning authorities should take account of:*
- *The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *The desirability of new development making a positive contribution to local character and distinctiveness.'*
26. Paragraph 132 states, *'When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.'*
27. Paragraph 133 states, *'Where a proposed development will lead to substantial harm to or loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*
- *The nature of the heritage asset prevents all reasonable uses of the site; and*
 - *No viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
 - *Conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and*
 - *The harm or loss is outweighed by the benefit of bringing the site back into use.'*
28. Paragraph 134 states, *'Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.'*
29. Paragraph 136 continues by stating that, *'Local planning authorities should not permit loss of the whole or part of a heritage asset without taking all reasonable steps to ensure the new development will proceed after the loss has occurred.'*
30. Paragraph 137 states that, *'Local planning authorities should look for opportunities for new development within Conservation Areas or World Heritage Sites and within the setting of heritage assets to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the heritage asset should be treated favourably.'*
31. The Adopted Central Lancashire Core Strategy (2012), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to, *'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by: Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*
32. The Adopted Chorley Local Plan (2015), Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*

33. In this case it is the potential impact on the appearance of the Croston Conservation Area and the significance of this designated heritage asset that is of prime consideration.
34. The current site is beginning to have a negative impact on the appearance of the area. Buildings are becoming dilapidated and the plethora of old roofing materials and other detritus stored around the site are causing visual blight. Whilst most of the site is screened from general view, the extent of the 'grot' is beginning to spread.
35. The majority of the new development will be screened from view by other dwellings and buildings that surround the site. Whilst glimpses of the new dwellings will be available in between existing buildings it is considered that the use of appropriate and complimentary materials will allow the development to sit harmoniously within its setting.
36. The conversion and extension of the current bungalow to form a detached house will create further unity with other houses within the streetscene of Station Road and engender a more harmonious character to this location.
37. As such the proposed development is considered to preserve or enhance the appearance of the Croston Conservation Area and thus to be in conformity with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.
38. It is also therefore considered to sustain or enhance the significance of this designated heritage asset and to therefore be in conformity with the above listed paragraphs of the Framework, policies and guidance.

Highway Safety and Parking

39. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policies BNE1 and ST4.
40. Lancashire County Council highways Engineer has examined the proposals, including the parking layout and the refuse vehicle tracking plan and concludes that the proposed development is acceptable in terms of highways safety and parking. Furthermore the proposal meets the parking standards as set out in the Local Plan.
41. As such the proposed development is considered to be acceptable in highways safety and parking terms. Suitably worded conditions will be used to ensure this.

Impact on the amenity of neighbours

42. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policy BNE1(b) and (g).
43. The proposed development can be seen to meet the Council's recommended interface distances to the site boundaries. This, coupled with sympathetic designs for the proposed development and the interrelationships to existing properties enable the proposed development to be considered acceptable in terms of impact on neighbour amenity. It is considered that there will be no material impact on the amenity currently enjoyed by existing neighbouring residential properties.
44. The proposed development is therefore considered to be in conformity with the aforementioned policies.

Ecology/Trees

45. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 22; Adopted Chorley Local Plan 2012 – 2026, policy BNE9. Also of relevance is the Framework, section 11.
46. The Greater Manchester Ecology Unit has commented that, subject to conditions and informatives, they have no objections to the proposed development. They are satisfied that the proposal will safeguard protected and endangered species and their habitats. Suitably worded conditions and informatives will ensure this.
47. The applicant has submitted a tree survey, tree protection plan and a methodology for tree protection. Suitably worded conditions will ensure that the trees being retained within the site will be adequately protected and, where necessary, strengthened to maintain appropriate coverage.

Flood Risk/Drainage

48. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 29.

49. The site is located within Flood Zone 2. The applicant has submitted a Flood Risk Assessment, which includes a number of recommendations for the proposed development and the design for the dwellings has included raised finished floor levels as part of the proposed mitigation measures.
50. United Utilities have commented that, subject to conditions and informatives being applied, they have no objections to the proposed development.
51. The Lancashire lead Flood Authority has not yet submitted their comments, despite numerous reminders.
52. Evidence from other recent development elsewhere in this locality have demonstrated that engineering solutions are available to successfully attenuate surface water drainage such that existing drains and water course are not compromised and that surface water flooding problems are not exacerbated. A suitably worded condition will secure this.
53. As such the proposed development is considered to be in conformity with the aforementioned policy and suitably worded conditions and informatives will be included to ensure this.

Sustainable Resources

54. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 27.
55. The Code for Sustainable Homes code levels for new dwellings is no longer applicable, however as an alternative the Council requires applicants to demonstrate that their development proposals will achieve a minimum 'Dwelling Emission Rate' of 19% above 2013 Building Regulations. Suitably worded conditions will secure this.

Open Space

56. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policies HS4A and HS4B.
57. These policies set out the contribution required for open space and playing pitches resultant from new residential developments. In this case the applicant has provided financial viability information, which has been examined and verified by the Council's own valuation surveyor. In her opinion the submitted financial information has been accepted and on this occasion the lack of viability within the development is such that no financial contribution will be required for either open space or playing pitches.

CIL

58. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Overall Conclusion

59. The application is recommended for approval, subject to conditions.

Planning Policies

60. 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

Ref:	80/00443/CLEUD	Decision:	WDN	Decision Date:	20 June 1980
Description:	Established Use Certificate - Builders Yard				
Ref:	80/00652/FUL	Decision:	PERFPP	Decision Date:	4 August 1980

- Description:** Change of use of shop to office and extension to bungalow
- Ref:** 80/00674/FUL **Decision:** PERFPP **Decision Date:** 18 August 1980
- Description:** Change of use of general industrial and builders yard to builders yard
- Ref:** 12/00628/FUL **Decision:** WDN **Decision Date:** 20 August 2012
- Description:** To demolish the existing dwelling (127a) and other out buildings situated on the site and construct a replacement dwelling fronting Station Road and also 5 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping.
- Ref:** 12/00629/CON **Decision:** WDN **Decision Date:** 20 August 2012
- Description:** To demolish the existing dwelling (127a) and other out buildings situated on the site (development associated with 12/00628/FUL).
- Ref:** 12/00942/FUL **Decision:** PERFPP **Decision Date:** 12 December 2012
- Description:** Application to demolish the existing dwelling (127a) and other out buildings situated on the site and to build a replacement dwelling fronting Station Road and also 4 further dwellings to form a small residential street on the rest of the application site, with associated access road, driveways, private gardens and communal landscaping (resubmission of withdrawn application ref: 12/00628/FUL)
- Ref:** 12/00943/CON **Decision:** PERCAC **Decision Date:** 12 December 2012
- Description:** Application for Conservation Area Consent to demolish the existing dwelling (127a) and other out buildings situated on the site (development associated planning application 12/00942/FUL). Resubmission of withdrawn application 12/00629/CON.
- Ref:** 13/00496/FUL **Decision:** WDN **Decision Date:** 27 June 2013
- Description:** Residential development to land at 127A Station Road Croston to include conversion of the existing bungalow to form two dwellings and the erection of five new dwellings with associated access road, driveways, private gardens and communal landscaping
- Ref:** 13/01100/FUL **Decision:** WDN **Decision Date:** 13 January 2014
- Description:** S.73 Application to vary condition 3 to consent granted under 12/00942/FUL to : Retention of existing bungalow and erection of 4 detached dwelling houses on former builders merchants yard.
- Ref:** 14/00315/FUL **Decision:** PERFPP **Decision Date:** 4 November 2014
- Description:** Residential development to land at 127A Station Road Croston to include retention of the existing bungalow and the erection of four new dwellings with associated access road, driveways, private gardens and communal landscaping (Resubmission of withdrawn application: 13/00496/FUL)
- Ref:** 15/0953/FULMAJ **Decision:** PCO **Decision Date:**
- Description:** Application for the construction of nine dwellings with associated access road, driveways and private gardens and the refurbishment and extension of the existing bungalow at 127a Station Road (to include the addition of a first floor and new roof), following demolition of existing buildings.
- Ref:** 16/00292/FUL **Decision:** INV **Decision Date:**
- Description:** Erection of single detached dwelling with integral garage and associated parking following demolition of existing storage building.

Proposed Conditions

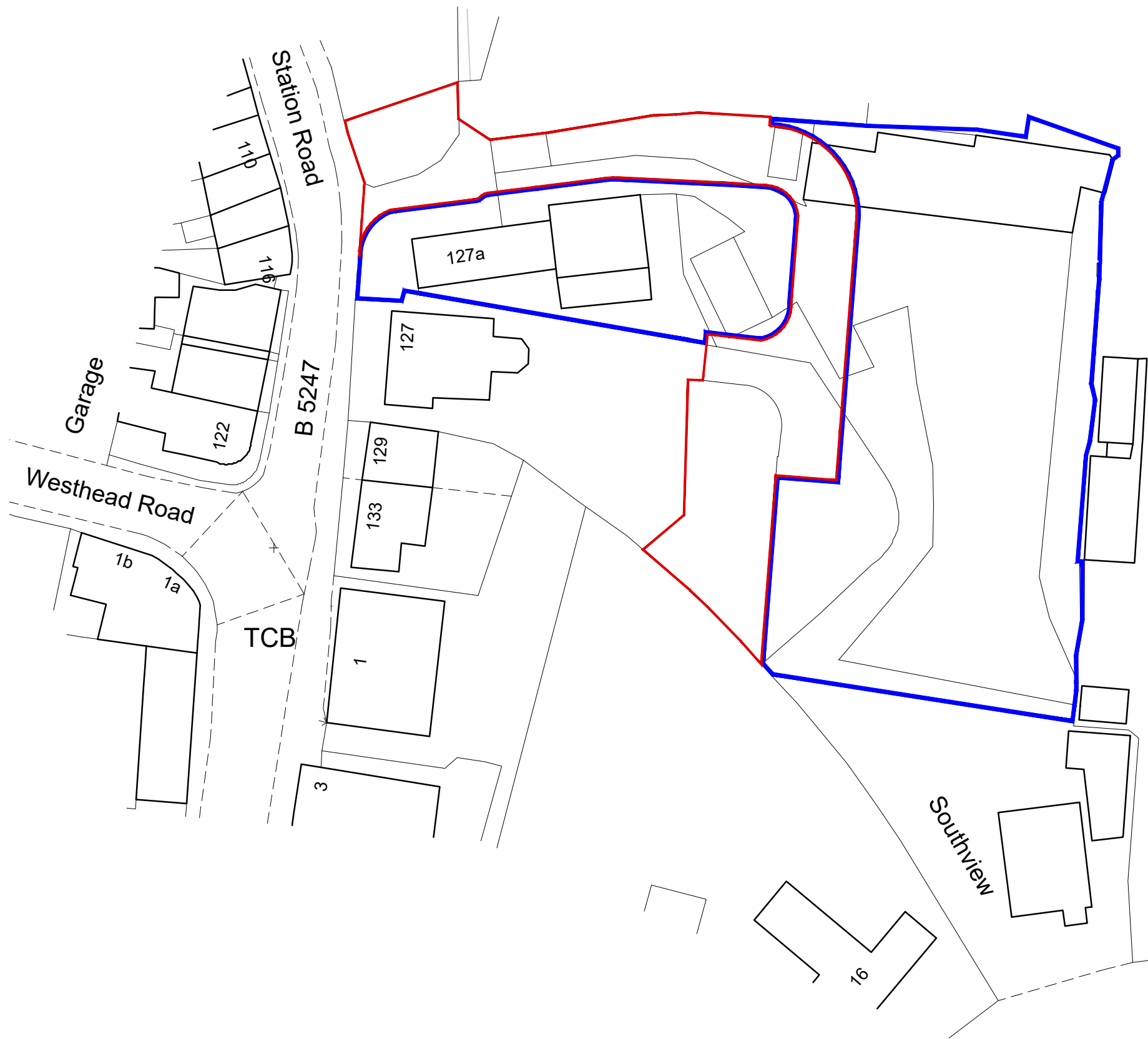
No.	Condition									
1.	<p>An application for approval of the reserved matters, namely the design, layout, access, scale, landscaping and siting of the proposed dwelling must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>									
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="352 920 1321 1016"> <thead> <tr> <th data-bbox="352 920 823 949">Title</th> <th data-bbox="823 920 1086 949">Drawing</th> <th data-bbox="1086 920 1321 949">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 949 823 978">Location Plan</td> <td data-bbox="823 949 1086 978">15/048/L01 Rev A</td> <td data-bbox="1086 949 1321 978">15.04.2016</td> </tr> <tr> <td data-bbox="352 978 823 1016">Tree Protection Plan</td> <td data-bbox="823 978 1086 1016">5145.02</td> <td data-bbox="1086 978 1321 1016">09.12.2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing	Received date	Location Plan	15/048/L01 Rev A	15.04.2016	Tree Protection Plan	5145.02	09.12.2015
Title	Drawing	Received date								
Location Plan	15/048/L01 Rev A	15.04.2016								
Tree Protection Plan	5145.02	09.12.2015								
3.	<p>In order to minimise the impacts on other protected species the following precautionary measures are required as part of the development hereby approved:</p> <ul style="list-style-type: none"> • Should any trenches or excavations be required, an escape route for animals that enter the excavation must be provided. • Ramps should be no greater than 45 degrees in angle. • Any holes dug should be securely covered to ensure no animals are trapped during works. • All excavations left open overnight or longer should be checked for mammals prior to the continuation of works or infilling. • Back filling shall be completed immediately after any excavations. • Contractors should be observant for protected species and should any species be found during works, then works should cease immediately and advice sought from a suitably qualified ecologist. <p>Reason: To safeguard protected and endangered species and their habitats</p>									
4.	<p>Prior to the commencement of the development a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. Thereafter lighting shall be installed in accordance with the approved plan.</p> <p>Reason: To safeguard protected and endangered species and their habitats and to ensure that any lighting (during construction and post development) be directed away from any of the retained trees.</p>									

<p>5.</p>	<p>Prior to the commencement of the development opportunities for Biodiversity Enhancement shall be submitted to and approved in writing by the Local Planning Authority. These should include:</p> <ul style="list-style-type: none"> • Bat bricks and/or tubes within the new development • Bat boxes • Bird boxes • Native tree and shrub planting. <p>Thereafter the approved opportunities shall be incorporated into the development in accordance with the approved details and prior to the occupation of any of the dwellings hereby approved.</p> <p>Reason: To safeguard protected and endangered species and their habitats and provide biodiversity enhancements</p>
<p>6.</p>	<p>Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.</p> <p>Reason: To secure proper drainage.</p>
<p>7.</p>	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</p>
<p>8.</p>	<p>The development hereby permitted shall be implemented in accordance with the submitted Scott Hughes Flood Risk Assessment received on 4 February 2016.</p> <p>Reason: To minimise the risk of the development increasing the incidence of flooding in the area.</p>
<p>9.</p>	<p>The development hereby permitted shall be implemented in accordance with the submitted TBA Landscape Architects Tree Protection Plan and Method Statement.</p> <p>Reason: To protect the trees being retained on the site.</p>

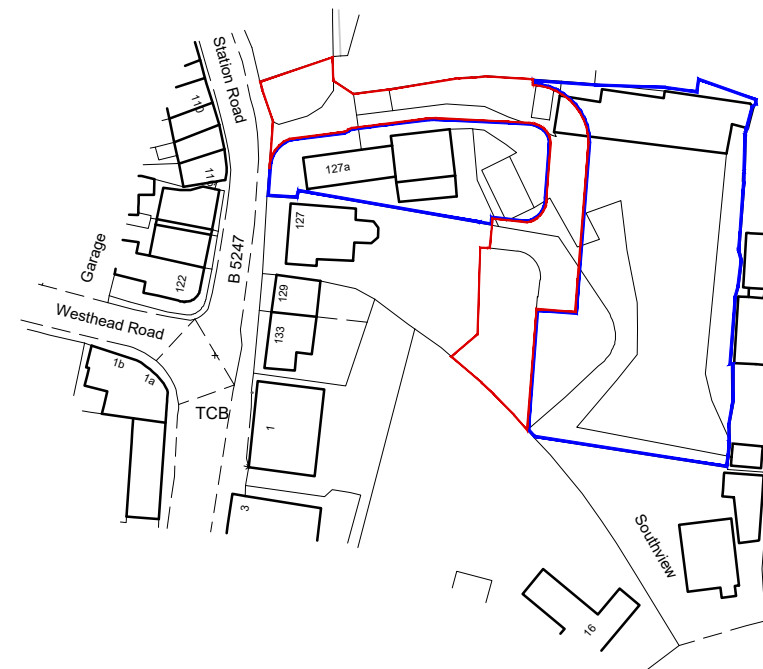
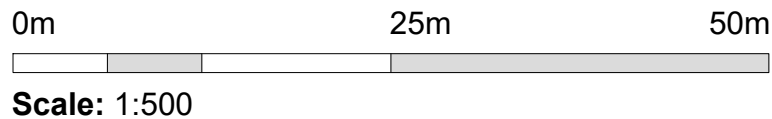
<p>10.</p>	<p>Due to the proposed sensitive end-use (residential housing & gardens), and the existing & former uses of the site as a depot/store, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial Phase 1 desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study (Phase 2 - site investigation) must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.</p> <p>Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment Agency, 2004). Further guidance and advice on producing the report can be obtained from the Contaminated Land Officer on 01527 515661.</p>
<p>11.</p>	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>{\i Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.}</p>
<p>12.</p>	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
<p>13.</p>	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
<p>14.</p>	<p>Prior to any works commencing details of the proposed fenestration (windows, doors and other joinery), to include full details at a scale of not less than 1:10 shall be submitted to and agreed in writing by the Local Planning Authority. All works shall then be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To maintain the integrity of the historic area.</p>

15.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
16.	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
17.	<p>Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>

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Site Layout 1:500



Location Plan



1:1250

Revision Notes:

- A: Changes to blue boundary following confirmation from Land Registry.
- B: Changes to red and blue boundaries following comments from Planning Officer.

WA 22/03/16
WA 15/04/16



CLIENT
Ellwood New Homes Ltd

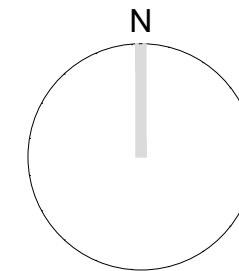
PROJECT NAME
Proposed Dwelling at

127A Station Road, Croston, Preston

DRAWING NAME
Location Plan

SCALE	DRAWN BY	DATE	DRAWING NUMBER	REVISION
Varies @ A3	WA	16/10/15	15/048/L01	B

213 Preston Road, Whittle-le-Woods, Chorley, Lancashire, PR6 7PS
Telephone: 01257 261555 **Fax:** 01257 267224 **Website:** www.lmparchitects.co.uk
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Item 3d	16/00236/OUTMAJ
Case Officer	Nicola Hopkins
Ward	Chorley North West
Proposal	Outline application for the erection of a 4 storey apartment building providing 28 No. one and two bedroom apartments with associated car parking, all matters reserved save for access, layout and scale (to replace previous extant outline planning permission 13/00076/OUTMAJ)
Location	Hospital Car Park, Preston Road, Chorley
Applicant	W. Marsden & Sons
Consultation expiry:	17th May 2016
Decision due by:	14th June 2016

Recommendation

Permit outline planning consent subject to the associated S106 Agreement (the applicant has provided a signed completed copy of the legal agreement to the Council)

Representations

In total 1 representation has been received which is summarised below:

- Concerns over the removal of the temporary hospital car park
- Concerns over potential tree removal

Consultees

Consultee	Summary of Comments received
LCC Archaeology	No objection
United Utilities	No objection subject to conditions
CBC Waste and Contaminated Land Officer	No objection subject to conditions
LCC Education	Are seeking a contribution to 1 primary school place (£12,209.40)
Lancashire Constabulary Designing Out Crime Officer	Has made some suggestions to prevent the opportunity for criminal and anti-social activity in and around the developed site
Environment Agency	No comments
Lead Local Flood Authority	No objection subject to conditions

AssessmentProposed Development

1. The application is an outline application covering access, layout and scale and proposes the erection of a 4 storey building on this site which will accommodate 28 apartments. The site has previously had consent for an identical scheme however the most recent outline consent is no longer extant. Access to the site will be directly off the A6.

History of the Site

2. Outline planning permission was granted in April 2009 (ref:09/00033/OUTMAJ) to demolish the existing building and erect a 4 storey apartment building providing 28 one and two bed roomed apartments with associated car parking.
3. The building was subsequently demolished and the site has subsequently been used for car parking in association with the hospital.
4. In 2013 an application was submitted to extend the timescale to submit reserved matters (13/00076/OUTMAJ). This application was approved and the applicants had until 26 April 2016 to submit reserved matters. This has not occurred and as such the planning approval for this site is no longer extant although it was when this application was submitted.

Principle of the Development

5. The site is located within the settlement area of Chorley as identified within the Local Plan. The Local Plan identifies that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or green infrastructure. This should be read in conjunction with other policies and proposals within the Core Strategy. Policy 1: Locating Growth of the Core Strategy identifies Chorley as a Key Service Centre where growth and investment will be focussed.
6. The site falls to be considered as previously developed land where at both a national and local level development is encouraged, as opposed to developing greenfield land. As such the principle of redeveloping the site for residential development is considered to be acceptable.

Density

7. The site is 0.218 hectares in size. The erection of 28 apartments on this site equates to a density of 128 dwellings per hectare. Policy 5 of the Core Strategy confirms that the authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land. Although this is a very high density, the nature of the development, i.e. high density apartment development, and the location of the site, it is considered to be appropriate development for this site taking into consideration the sustainable location and character of the area.

Character of the area

8. The site was formerly occupied by a large three storey Victorian building. The property was originally built as a single dwelling however it was last used as a nursing home. To the north of the site is a large Victorian building which is used as a dental practice. To the south of the site is Highgrove House which is a two storey nursing home and to the rear of the site is Chorley Hospital.
9. When the planning permission was originally granted to replace the former building on this site, it was considered that due to the prominence of the building which was situated on the site, the replacement building should be a large dominant building which would adequately replace the original building.
10. This application follows the same established design principles. The application is an outline application dealing with layout, scale and access. If outline planning permission is granted, the design and landscaping will be dealt with at reserved matters stage. Scale is

being applied for as part of this outline planning application and the site will be redeveloped with a four storey building which is considered appropriate as this will create a dominant building within the street scene. This notwithstanding, an indicative plan detailing the elevations of the building has been submitted with the application. This indicates the design and style of the building which is envisaged on the plot and demonstrates that 28 apartments can be accommodated within the building.

11. With the submitted Design and Access Statement, it is stated that the building has taken scale and style references from the demolished building. The statement goes on to confirm that the intention is to build a substantial property that has a varying roof line with hipped ends to the main roof and a mixture of gable and hip ends to the projecting elements of the building. Detailed elevations will be submitted at reserved matters stage. The design principles set out within the Design and Access Statement will be carried forward at reserved matters stage to ensure that the character and design of the building are appropriate in the context of the character of the site and the area as a whole.

Affordable Housing

12. Policy 7 of the Core Strategy sets out the requirements for the provision of affordable housing in Central Lancashire to meet the acute need for such housing in the area. Amongst other things, the Policy states that the minimum site size threshold will be 15 dwellings (0.5 hectares or part thereof) but a lower threshold of 5 dwellings (0.15 hectares or part thereof) is applicable in rural areas. Policy 7 is supported by the accompanying Supplementary Planning Document on affordable housing (SPD) which was adopted in October 2012.
13. In respect of this site, 30% affordable dwellings are required which equates to 8 on site affordable units. In this regard, as with the previous application, the applicants are contending that any affordable housing requirement on this site will render the scheme unviable.
14. Policy 7 does confirm however that this percentage is subject to site and development considerations such as financial viability. Policy 7 acknowledges that site considerations such as this should be taken into account, and where it cannot be demonstrated that the development of the site can be financially viable if the requisite number of affordable housing units is provided, then this number can legitimately be reduced and that is the proposal which is put forward in this statement. This approach is in accordance with the guidance in the Framework which confirms that development 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.
15. In this regard the application is supported by a Viability Appraisal that has been reviewed by the Council's Property Services section and this is assessed below.
16. The submitted information includes the following headline figures:

<i>Element</i>	<i>Included figure</i>	<i>Estates Surveyor comments</i>
<i>Land Purchase Cost</i>	<i>£435,000</i>	<i>This does work out at a high land value at £805,555 per acre which was possibly purchased some time ago when prices were high. The land will also be capable of such high intensity development so the purchaser was able to pay more and it is within a very central location.</i>
<i>Costs of</i>	<i>£1,408,244 equivalent</i>	<i>This is considered reasonable for such high density</i>

<i>Construction</i>	<i>to £77 per square foot</i>	<i>development</i>
<i>External Works</i>	<i>£137,615</i>	<i>This is equivalent to £4,914 per plot and considered typical and average in addition to the net build costs.</i>
<i>Revenue from House Sales</i>	<i>between £95,000 to £110,000 per apartment</i>	<i>These do not appear to be too overly cautious but would be speculative to suggest any higher owing to nature of apartment sales.</i>

17. The Estates Surveyor concludes that although the sales prices are reasonably low, this is expected owing to the uncertainty of lending on apartments and if any affordable housing is included the profit will be vastly reduced and unviable to the developer and he is unlikely to obtain the funding at the appropriate interest. The land purchase cost is high in the case of this site however the only way to secure further funds for affordable housing as part of this development would be to reduce the profit or increase the sales prices. The profit is within the usual market limits at 16.2% on costs and 13.89% on revenue and any reduction would not provide a competitive return for the developer and the apartment market is too speculative to enable the sale prices to be increased.

Public Open Space

18. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013 and open space requirements relating to new housing schemes need to accord with Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity Greenspace

19. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a deficit of provision in the Chorley North West ward in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 10 or more dwellings the required amenity greenspace should be provided on-site. The amount required is 0.05 hectares. A 10 year maintenance cost of £19,600 is also required unless private maintenance is proposed.

Provision for children/young people

20. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in the Chorley North West ward in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

Parks and Gardens

21. There is no requirement to provide a new park or garden on-site within this development. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

22. There is no requirement to provide new natural/semi natural greenspace on-site within this development. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments

23. There is no requirement to provide allotment provision on site within this development. The site is within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Sylvester's Farm, Euxton (HW5.2). A contribution towards allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

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

25. The total financial contribution required from this development is as follows:

Amenity greenspace (arranged)	= £19,600 (maintenance cost if private maintenance not arranged)
Equipped play area	= £0
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £420
Playing Pitches	= £44,772
Total	= £64,792

26. As set out above, financial viability is a consideration at this site. The submitted viability appraisal includes a sum of £20,208 which is available out of the scheme for open space without affecting the viability of the scheme. Although this figure is below the Policy required amount, it is considered the maximum achievable out of this scheme and the associated S106 Agreement will include this figure to contribute to pitches within the Borough.

Access

27. The site fronts onto the A6 Preston Road which is the main route connecting Chorley Town Centre with the M61 motorway, Preston and the Parishes of Chorley. The A6 is a very busy road however visibility is good and the proposal will utilise the existing access point which served the former building on this (although this access has been temporarily blocked up whilst the land has been used as a car park for the hospital with access to the car park achieved through the hospital land).
28. The site is located close to local amenities and Chorley Town Centre and there is a regular bus service along Preston Road. As such the site is considered to be in a very sustainable location. The scheme incorporates 36 parking spaces including 4 disabled parking spaces and cycle storage.
29. The proposed apartment block will contain 20 one bedroom and 8 two bedroom apartments which generates the need for 36 parking spaces in accordance with Policy ST4 of the Adopted Local Plan and as such the proposed parking provision is acceptable for the number of apartments proposed.
30. Bin storage facilities are proposed adjacent to the entrance to the site which, in respect of the previous application, the Council's Environmental Services Team considered were adequate to serve the site. This application proposes similar bin storage facilities. The layout of the car park reflects the scheme proposed for the previous application which incorporated adequate turning space within the parking court for a refuse collection vehicle. It has previously been agreed that gates, which will be accommodated at the site entrance, will either be (a) closed, but operated by sensors to allow access to collection vehicles at all times, or (b) closed only during night-time periods and hence open when

access is required by the collection vehicle. The details of the gates will be required via condition.

Impact on the neighbours

31. The immediate neighbours to the site are the dental surgery to the north of the site and the nursing home, Highgrove House, to the south of the site. The building has been sited in a similar location as the former building which occupied the site and is a similar height. As the scheme is outline in nature the design, including the location of windows will be assessed at reserved matters stage. The indicative elevation plans which have been submitted incorporate kitchen windows and windows which serve the corridors in the side elevations. As kitchen windows they have the potential to create overlooking, however the windows as designed are secondary windows to the open plan living space and could be obscurely glazed to protect the neighbours' amenities whilst not adversely impacting on the amenities of the future residents. It is considered that an acceptable window arrangement can be designed at reserved matters stage and any overlooking addressed by obscure glazing if deemed necessary.
32. Highgrove House, to the south of the site, is located at a lower land level than the application site. The proposed development will be located closer to the boundary with Highgrove House than the former building however windows serving habitable rooms will not be permitted within the southern elevation where overlooking/ loss of privacy would occur. The gable will be set off the boundary and replacement fencing along with landscaping along the boundary will be required via condition.
33. Planning permission was granted in December 2014 (14/00938/FUL) for two-storey extensions to the north, east and south elevations of Highgrove House. This work has not yet commenced however the permission is extant until December 2017. The main changed approved at Highgrove House is a two storey extension adjacent to Preston Road. As the proposed development is set back into the site, it is not considered that the new apartment block will impact on this element of the approved extension.
34. The approved scheme does however include an extension to the northern elevation of the building to create enlarged bedroom space which will bring the building closer to the boundary with the application site. This results in bedroom windows at both ground and first floor level closer to the application site. The approved extension is however only approximately 1.9m in width. Given the difference in land levels it is considered that sufficient boundary treatment and landscaping will act as a screen to the windows, including the first floor windows, in the north elevation of the nursing home. Additionally as the proposed development is located to the north of Highgrove House it will not result in loss of light.
35. This application is similar to the previous scheme in respect of siting and scale and it was considered that the building and the size proposed could adequately be accommodated on the site whilst protecting the neighbours' amenities. This is still considered to be the case even with the extensions as approved at Highgrove House.
36. To the west of the site there is a car park associated with the hospital and as such no loss of amenity is created at this part of the site.

Trees

37. An Ecological Assessment was not submitted with the application although one was undertaken prior to the demolition of the former building on the site. The proposal includes the provision of bat and bird boxes within the trees, a landscaping condition is attached to the recommendation which requires the planting of native species and the proposal incorporates a 'No Dig' construction and a permeable surface finish adjacent to the frontage trees. All of these provisions satisfy the Ecologists concerns in respect of the original application.

38. A number of trees have been felled on the site historically however a Tree Preservation Order (TPO 7 (Chorley) 2007) has been placed on the trees which have a high visual amenity value along the frontage of the site. These trees will be retained as part of the scheme

Sustainable Resources

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

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

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

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

CIL

41. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council’s Charging Schedule. However apartments generate a CIL levy of £0.
42. The intention of the CIL charging is to fund infrastructure that is needed as a result of development. The Council’s CIL charging schedule includes funding for education provision and as such the additional school places required to accommodate the pupils generated by new development will be funded via the CIL. As set out above the financial viability of this scheme is restrictive and even if there were additional funds in this development it is not considered that an education contribution could be secured as this infrastructure is addressed by CIL.

Drainage

43. Lancashire County Council as the Lead Local Flood Authority and United Utilities have reviewed the proposal and have raised no objection to the scheme subject to conditions in respect of surface water drainage, sustainable drainage and maintenance. These conditions have been attached to the recommendation.

Neighbour Concerns

44. A concern has been received about the impact of this development on parking for the hospital. The site is currently used for parking in association with the hospital although this permission is only temporary (09/00410/FUL and 13/00166/FUL) with the current consent expiring on 30th April 2016. The Hospital Trust were advised that the consent

was about to expire and submitted a further application (16/00384/FUL) to use the land as a car park for a further three years as they have extended the lease for another three years. Whilst there is no current consent in place to use the land as a car park, in the event that the new application is approved, there will be consent for a further three years which would tie into the approval of this outline application. This notwithstanding, the use of the land as a car park was always a temporary use as this site had consent for new apartments and as such this parking was never envisaged for the long term with the land owner only granting temporary leases. As such the impact on parking at the hospital is not material to the consideration of this application.

Overall Conclusion

45. The proposal involves the redevelopment of brownfield land which is considered to be acceptable in terms of National Planning Policy. Although this is an outline application it is considered that the site can be developed without adversely impacting on neighbours, highway safety or ecology associated with the site and as such the scheme is considered to be acceptable.

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
03/00958/COU	Change of use from Nursing Home to Offices (Class B1).	Approved	2003
04/01295/OUTMAJ	Outline application for the demolition of existing nursing home and erection of new B1 office block and car parking.	Refused	January 2005
07/01271/FULMAJ	Demolition of existing building and erection of four storey apartment building, providing 28 no. one and two bedroom apartments with associated car parking and landscaping.	Withdrawn	
08/00232/FULMAJ	Demolition of existing building and erection of four storey building, providing 28 one and two bedroom apartments with associated car parking and landscaping.	Refused	June 2008
09/00033/OUTMAJ	Outline application for the demolition of existing building and erection of a 4 storey apartment building providing 28 one and two bed roomed apartments with associated car parking.	Approved	April 2009
09/00410/FUL	Change of use to hospital car park for temporary 3 year period	Approved	June 2009
09/00470/DIS	Application to discharge conditions 3, 8 and 9 attached to planning approval	Conditions discharged	June 2009

	09/00033/OUTMAJ.		
09/00671/DIS	Application to discharge condition 3 and 4 attached to planning approval 09/00410/FUL.	Conditions discharged	September 2009
13/00166/FUL	Application to extend the temporary permission for the use of the site as a hospital car park for a 3 year period.	Approved	April 2013
13/00198/TPO	Crown lift and thin Sycamore Tree (T1 at 94 Preston Road), remove ivy from Alder Tree and prune branches overhanging the highway (T1 at 67 Preston Road), remove Ash Tree (T4 at 67 Preston Road).	Consent granted	May 2013
13/00076/OUTMAJ	Application for a new planning permission to replace the extant outline planning permission no. 09/00033/OUTMAJ (which permitted the demolition of the existing building and erection of a 4 storey apartment building providing 28 one and two bed roomed apartments with associated car parking) in order to extend time limit for implementation	Approved	April 2013
16/00384/FUL	Application to extend the temporary permission for the use of the site as a hospital car park for a 3 year period	Invalid	

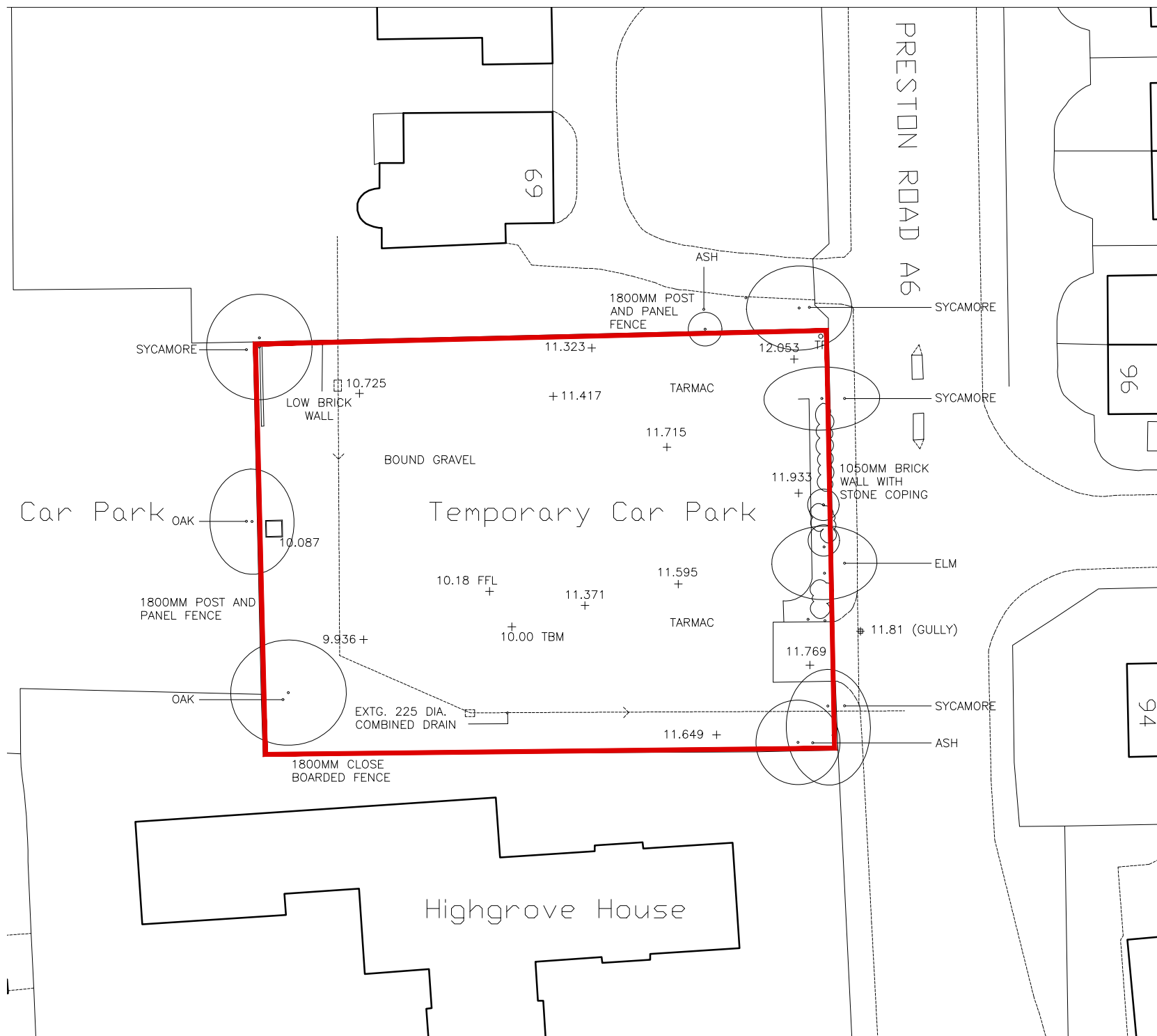
Suggested Conditions

No.	Condition															
1.	<p>An application for approval of the reserved matters, namely the design and landscaping of the site, must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>															
2.	<p>The development hereby permitted for up to 28 apartments (up to 20 one bedroom and 8 two bedroom apartments) shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 656 1203 907"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Existing Site Layout and Location Plan</td> <td>08/147/E01 Rev A</td> <td>11th March 2016</td> </tr> <tr> <td>Proposed Site Layout</td> <td>08/147/P01 Rev B</td> <td>11th March 2016</td> </tr> <tr> <td>Proposed macadam no dig construction</td> <td>09/147/P04</td> <td>11th March 2016</td> </tr> <tr> <td>Design & Access Statement</td> <td></td> <td>11th March 2016</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Existing Site Layout and Location Plan	08/147/E01 Rev A	11th March 2016	Proposed Site Layout	08/147/P01 Rev B	11th March 2016	Proposed macadam no dig construction	09/147/P04	11th March 2016	Design & Access Statement		11th March 2016
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Design & Access Statement		11th March 2016														
3.	<p>The new dwellings hereby approved are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>															
4.	<p>Prior to the commencement of the construction of the building hereby permitted details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>															
5.	<p>No part of the building hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling has achieved the required Dwelling Emission Rate.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>															

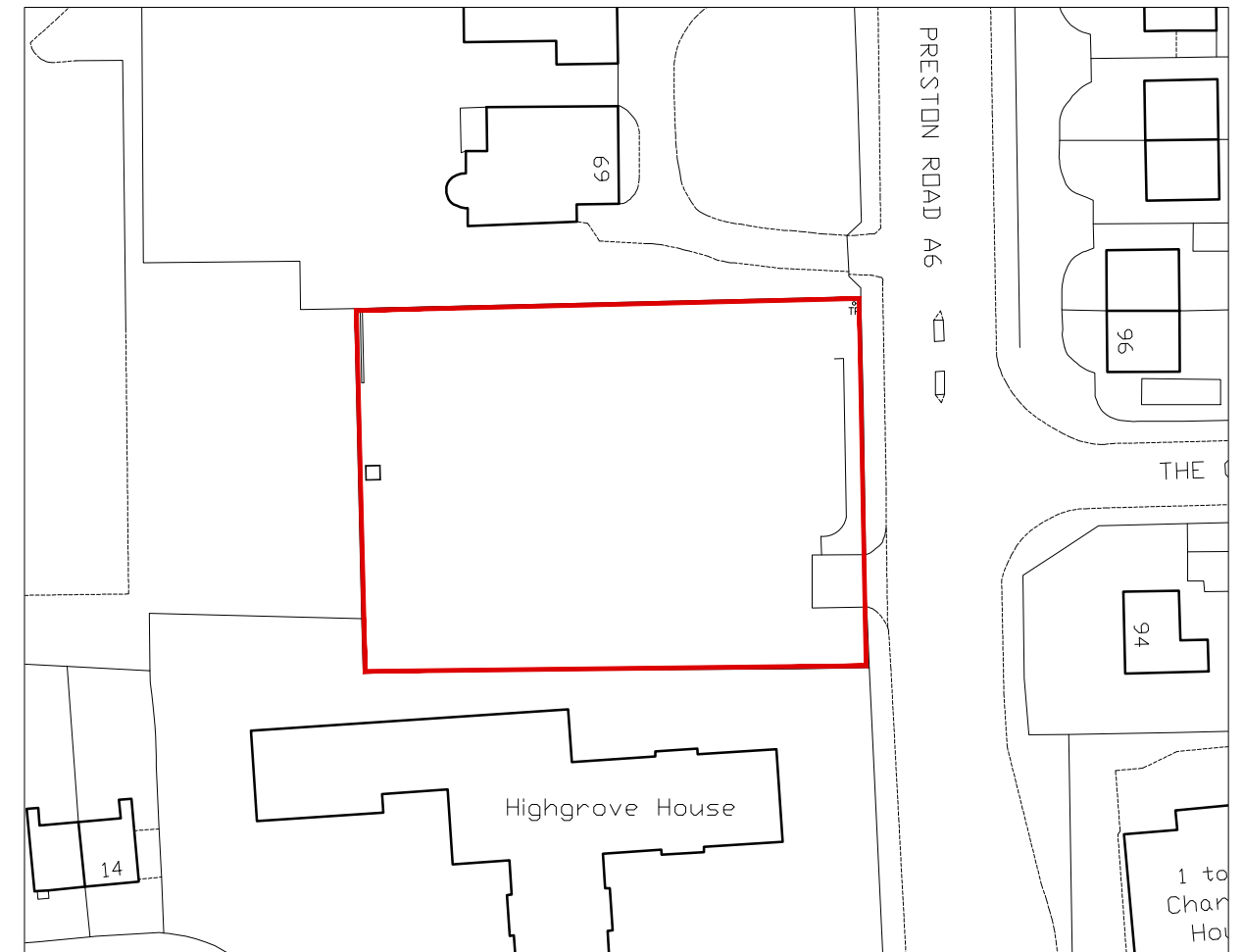
<p>6.</p>	<p>The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
<p>7.</p>	<p>Due to the size of development and proposed sensitive end-use (residential), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study and site investigation must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report. Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment Agency, 2004). Further guidance and advice on producing the report can be obtained from the Contaminated Land Officer on 01527 515661.</p>
<p>8.</p>	<p>As part of the first reserved matter application a scheme of landscaping of the site shall to submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. Reason: In the interests of the amenity of the area and to ensure a landscaped buffer is provided between the development hereby approved and the adjacent property, Highgrove House.</p>
<p>9.</p>	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. Reason: In the interest of the appearance of the locality.</p>
<p>10.</p>	<p>Prior to the commencement of the development or as part of the first reserved matters application samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials. Reason: To ensure that the materials used are visually appropriate to the locality.</p>
<p>11.</p>	<p>Prior to the commencement of the development or as part of the first reserved matters application details of the colour, form and texture of all hard ground-surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details. Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</p>

<p>12.</p>	<p>Prior to the commencement of the development or as part of the first reserved matters application full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plans) shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times. Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of the adjacent Highgrove House.</p>
<p>13.</p>	<p>Prior to the occupation of the first apartment hereby approved full details of any gates to be erected to the vehicular entrance to the site (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include information about the operation of the entrance gates. No building shall be occupied or land used pursuant to this permission before the entrance gates have been erected in accordance with the approved details. The entrance gates shall thereafter be retained in accordance with the approved details at all times. Reason: To ensure a visually satisfactory form of development and to ensure adequate access is provided for refuge vehicles.</p>
<p>14.</p>	<p>Prior to the occupation of the first apartment hereby approved full details of the Management Company and arrangements for the future management and maintenance of the site, including storage and collection of refuse, management of the parking spaces and management of the on site amenity space, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements. Reason: To ensure the satisfactory management of the car parking arrangements and refuse storage/ collection at the site.</p>
<p>15.</p>	<p>Prior to the commencement of the development or as part of the first reserved matters application full details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall thereafter be provided in accordance with the approved details. Reason: To ensure adequate on site provision for cycle parking to enable choice of transport modes to and from the site.</p>
<p>16.</p>	<p>Prior to the commencement of the development or as part of the first reserved matters application full details of the bin storage facilities shall be submitted to and approved in writing by the Local Planning Authority. The bin storage thereafter shall be constructed prior to the occupation of the first apartment hereby approved and retained in accordance with the approved plans. Reason: To ensure that adequate refuse storage is provided on site.</p>
<p>17.</p>	<p>Foul and surface water shall be drained on separate systems. Reason: To secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>18.</p>	<p>Prior to the commencement of any development or as part of the first reserved matters application, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include: a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + 30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable , the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of flood levels in AOD; b) The drainage scheme should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.</p>

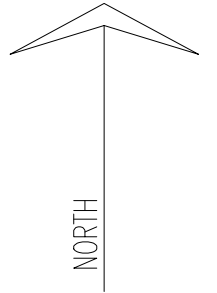
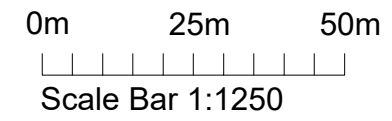
	<p>c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing where applicable; f) Site investigation and test results to confirm infiltrations rates g) details of water quality controls, where applicable.</p> <p>The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme and shall be fully completed prior to the first occupation of the first apartment hereby approved.</p> <p>The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 10l/s.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>19.</p>	<p>Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum: a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p>Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.</p>
<p>20.</p>	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p>Reason: To safeguard the trees to be retained.</p>
<p>21.</p>	<p>The car park hereby approved shall be constructed in accordance with the 'macadam no dig construction' method detailed on plan reference 09/147/P04, received 11th March 2016, within the tree root zone of the trees to be retained on site. The construction of the car park shall be in accordance with the approved method of construction unless otherwise agreed in writing by the Local Planning Authority. Reason: To ensure the continued protection of existing trees on the site.</p>
<p>22.</p>	<p>The application(s) for reserved matters shall adhere to the following parameters in respect of the apartments hereby approved:1) a maximum height of 4 stories reflecting the submitted Site Section Plan (ref: 08/147/P03 Rev A received 11th March 2016)2) The design principles contained within the approved Design and Access Statement.</p> <p>Reason: To ensure an acceptable form of development for the site within the parameters of the site.</p>



Site Layout 1:500




Location Plan 1:1250



Revisions
A: Site plan updated to show current status.

ASL 10/03/16

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PROJECT Proposed Residential Development at 67 Preston Road, Chorley			
DRAWING TITLE Existing Site Layout and Location Plan			
DATE 16/01/09	SCALE 1:500/1250	DRAWN JAL	DRWG No. 08/147/E01
		REV A	

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Item 3e **16/00116/OUTMAJ**

Case Officer **Nicola Hopkins**

Ward **Chorley South East**

Proposal **Outline application for the demolition of existing warehouse and erection of 12 apartments (all matters reserved save for access, appearance, layout and scale)**

Location **Bonny Greenhalgh And Co. Industrial Premises, Back Ashby Street, Chorley**

Applicant **Mr Dean Horricks**

Consultation expiry: **15th March 2016**

Decision due by: **13th May 2016 (extension agreed until 27th May 2016)**

Recommendation

Approve outline planning permission subject to the associated legal agreement

Consultees

Consultee	Summary of Comments received
CBC Waste and Contaminated Land Officer	Has suggested conditions due to the historic site uses (including steelworks/metal fabrication)
The Lancashire Constabulary Designing Out Crime Officer	Has made some suggestions in order to prevent the opportunity for criminal and anti-social activity in and around the developed site
Greater Manchester Ecology Unit	No objection subject to suitable conditions
United Utilities	No objection subject to suitable conditions
LCC Education	Comment that an education contribution is not required
LCC Archaeology	Have suggested a building recording condition
CBC Economic Development	Have no objection although they have commented that this site could possibly be redeveloped for industrial units, especially around 1,000-2,000 sq. ft.
LCC Highways	Have raised concerns about the parking layout

AssessmentProposed Development

1. The proposed development involves the demolition of the existing buildings on the site and the erection of 12 apartments. Although the application is submitted in outline all matters are proposed to be addressed as part of this application apart from landscaping. The apartments are proposed within two storey blocks, one along the eastern boundary of the site and one along the southern boundary. The scheme proposes vehicular access from Back Ashby Street and proposes 12 parking spaces. All of the apartments are one bedroom.

Principle of the Development

2. The site is located within Chorley Town, which Core Strategy Policy 1 defines as a Key Service Centre. Policy 1 states that growth and investment should be focussed on well-located brownfield sites and the strategic location of Central Preston, the Key Service Centres of Chorley and Leyland and the other main urban areas in South Ribble.
3. The site was previously used for employment purposes and consequently Policy 10 of the Adopted Core Strategy, Employment Premises and Sites, and the provisions in the SPD on Controlling the Re-Use of Employment Premises are applicable. These restrict the use of the site to employment purposes unless it can be demonstrated, via the submission of marketing evidence (for a minimum 12 month period), that there is a lack of employment demand. Policy 10 states:

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

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

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

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

4. In accordance with Policy the application is supported by a Proof of Marketing Statement.

(a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;

5. This is a site that could be re-used for employment purposes however the buildings are in need of redevelopment or repair/refurbishment. Within the Employment Land Review for the Borough there are a number of other employment sites that have been assessed in Chorley Town; These include Cowling Farm off Cowling Road, Martindales Depot off Cowling Road, Crosse Hall Street including Weir Mill, Apex House on Stump Lane and Yarrow Mill Industrial Estate which are all in eastern Chorley Town. Therefore, there are alternative sites in the local area. There are also a number of better quality employment sites available in eastern Chorley Town, such as East Chorley Business Park, Chorley Central Business Park on Stump Lane and Cowling Business Park off Cowling Road.

There are also new employment sites allocated in Chorley Town in the Local Plan, which could be accessed from this area.

6. Overall, it is not considered that this proposal for housing on this site would result in an unacceptable reduction in the type, quality or quantity of the employment land supply in the Borough.

(b) the provision and need for the proposed use;

7. The proposed use of the application site is for housing. The Council has a five year deliverable supply of housing plus 5% and there is no urgent requirement to release additional land for housing. However, housing requirements are not a maximum and this proposal is within the settlement boundary of Chorley Town which Core Strategy Policy 1 designates as a Key Service Centre where growth and investment will be concentrated. It is also a brownfield site and the Council has a target of 70% of all new housing development to be provided on brownfield sites. Housing development within the settlement of Chorley Town is acceptable in principle, subject to compliance with other relevant policies.

(c) the relative suitability of the site for employment and for the alternative use;

8. The site is in close proximity to an A road however access is via a relatively narrow side street which restricts the type and size of vehicles which could access the site. All of the site is currently occupied by buildings and as such there is not off street parking included and the relatively restricted nature of the access reduces the potential for larger commercial vehicles to be able to manoeuvre.
9. The site is sustainable, being within the settlement of Chorley Town, and is considered suitable for employment or housing uses, or a mix of uses.

(d) the location of the site and its relationship to other uses;

10. The site is adjacent to residential and employment uses and could be used for either of these uses.

(e) whether the ability to accommodate smaller scale requirements would be compromised;

11. The application site contains two buildings which are in a poor state of repair. The Council's Economic Development Section consider that there is evidence that there would be demand if this site was redeveloped into industrial units, especially around 1,000-2,000 sq. ft.

(f) there would be a net improvement in amenity.

12. The buildings on the site are in a poor state of repair and the site as a whole is in a very run-down state. Therefore, redevelopment would be likely to provide a net improvement in amenity.

(g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;

13. The applicants have provided a Proof of Marketing Statement undertaken by Eckersleys, which indicates that the whole property has been marketed since May 2013. Adverts were placed in the Chorley and Leyland Guardian and the property has been marketed on the Eckersley website. Therefore, the advertising has taken place for a period longer than the 12 months specified in Core Strategy Policy 10. Marketing boards were also erected at the front of the site.

14. During the marketing period only 2 formal offers were received and both of these offers related to redeveloping the site for residential purposes.
15. The site was included on the Council's database for sale and the report concludes that the location of the site, close to residential properties, the 100% site coverage which currently occurs, limited circulation/ access for commercial vehicles and low buildings no longer suits the occupational requirements of many businesses .

(h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

16. The submitted supporting information confirms that from a financial viability perspective investment into the existing buildings is unlikely to produce reasonable levels of return given fire damage which has occurred at the property. This is supported by the submitted Structural Survey which concludes that all that remains of the structure are the external walls and these have been affected by age, alteration and the fire to various degrees, and the roof is missing from the large factory unit. The report raises concerns about the stability of a number of walls and recommends demolition/ partial demolition of a number of the walls. The agent has confirmed that the costs of refurbishing the site would be approximately £1 million. The refurbished building would receive a rent of £41,000pa (giving a percentage return of 4.1%pa on a £1 million refurbishment). The proposed apartment blocks would cost approximately £550,000 altogether with a rental of £52,000pa (giving a percentage return of 9.5%pa). As such the anticipated rate of return would not cover the refurbishment costs.
17. The submitted Marketing Statement concludes that the only realistic option would be to completely redevelop the site however speculative development is fragile and given the location of this site it is unlikely that such a scheme would secure the appropriate demands/ returns. This is evidenced by the lack of interest demonstrated through the marketing exercise.
18. In conclusion although this site has been vacant for over 2 years and it potentially could provide employment opportunities within Chorley Town, it is not considered that the loss of the premises will adversely impact on the supply of employment land within the Borough, particularly as this site is not allocated for such within the Local Plan.
19. The Local Plan has an employment land supply for the period 2010-2026 as 100.61 hectares however as employment uses have not been specifically identified on this site, the development will not compromise the Council's land allocations for employment and the overall employment land supply.

Impact on the neighbours

20. The immediate neighbours to this site are 7-19 Duke Street (to the north of the site), 94 and 96 Bolton Street (to the east of the site) and the dwellinghouses opposite the site on Back Ashby Street. To the south of the site is an area of vacant land which was formerly occupied by the Astley Centre.
21. 7-19 Duke Street are terraced dwellinghouses. The proposed apartments (block 1) are set away from the boundary with the properties on Duke Street by approximately 11m and approximately 19m from the main rear elevation of the dwellings on Duke Street (excluding the existing rear outriggers which are mainly single storey with limited rear habitable room windows within them). The dwellings on Duke Street have a mix of one and two storey rear outriggers although only one property has a two storey outrigger and this does not have any first floor rear windows.
22. The distance maintained falls below the Council's required 21m spacing distance however the proposal includes the erection of a 1.8 metre high boundary fence along the boundary with Duke Street which will ensure that the ground floor habitable room

windows of block 1 facing Duke Street will not result in loss of privacy or amenity to the existing or future occupants.

23. The first floor accommodation has been designed so that the windows to the kitchens and bathrooms are located within the elevation which faces the properties on Duke Street. This ensures that obscure glazing (as a bathroom is a non-habitable room and the submitted layout details that the kitchens are not separate rooms and have 2 windows) can be secured reducing the potential for loss of privacy whilst still providing suitable living conditions for the future residents.
24. Block 1 will be located to the south of the properties on Duke Street however given the distance retained between the existing and proposed dwellings it is not considered that the proposed development will result in loss of light to the detriment of the neighbours' amenities.
25. The arrangement of block 1 results in rear first floor habitable room windows facing the vacant piece of land adjacent to the application site (the former Astley Centre site). There is no planning approval on this piece of land although there is the potential for the future development of this site. The location of proposed block 1 (to the north of the vacant piece of land) ensures that loss of light to any future development will not be an issue although any development would have to be sensitively designed to ensure that no loss of light is created for the residents of the proposed apartments. Although the first floor windows could reduce the development potential for part of the site it is considered that a suitable scheme could be developed on the adjacent piece of land whilst protecting the amenities of the residents.
26. Proposed block 2 backs onto 94 and 96 Bolton Street. 94 Bolton Street is occupied by 4 flats and 96 Bolton Street is a shop at ground floor level with 2 flats above all of which incorporate habitable room windows within the rear elevation. It is also noted that planning permission was granted in November last year (15/00891/COU) to convert the ground floor retail unit at 96 Bolton Street into two separate one bedroom flats.
27. The windows within the rear of these flats (which serve habitable rooms) currently face the rear elevation of the existing building on the site which is a two storey structure located immediately adjacent to the boundary of the site. The proposed development involves the erection of a two storey building along this boundary similar to the existing building on site. However, the building will be offset from the boundary to improve this relationship. The proposed building will be sited approximately 10.4m from the rear elevation of 94 and 96 Bolton Street which is below the Council's spacing standards however moving the built development away from the common boundary does improve the existing situation on site. The application site is located to the west of the existing properties and although this will result in some loss of light later in the day, this will already be experienced as part of the existing situation on the site and the fact that the proposed development moves the built form away from the common boundary will improve the situation on site.
28. Block 2 has been designed with all the habitable room windows at the front with the kitchen and bathroom windows at the rear. The arrangement enables all the rear windows to be obscurely glazed (the kitchen window is not the only source of light into this room which is a through kitchen/ living room) to protect the amenities of the existing and future residents.
29. The end gable of block 2 is located to the rear of 7 and 9 Duke Street. No windows are proposed within this end gable however only approximately 7.6m is retained between the rear elevation and the proposed side gable which is below the Council's required 12m separation distance. However, it is noted that there is an existing two storey building on this part of the site which has a similar relationship with the existing dwellings as the proposed development. As such although the proposed development will impact on the neighbours' amenities in terms of outlook and loss of light (as the proposed development

is to the south of the existing dwellings) the proposed development will have no greater impact than the existing situation on site and in fact will reduce the amount of built form along the boundary with the properties on Duke Street (part of the existing building will be replaced by car parking). As such in this case the proposed development is considered to be acceptable.

Highways and Parking

30. In terms of parking provision, one off road parking space is required for each 1 bedroom property. The plans detail 12 parking spaces in accordance with the requirements of Policy ST4 which is considered to be acceptable for this site.

31. However the Highway Engineer at Lancashire County Council has raised concerns with the parking layout as follows:

The layout of the proposed car parking spaces are perpendicular to the site's internal access (aisle). The width of aisle needed to safely and conveniently access parking bays of this layout depends on the width of the bay and the angle of approach. For a 90 degree angle of approach as proposed, it is recommended that the width of isle should be 6.0m.

The Manual for Streets recommends that where, the 6.0m width could not be achieved, the width of parking bays should be increased for ease of manoeuvring in and out of the bays. Although, the proposed width of aisle falls short of the recommended 6.0m, the parking bays have not been correspondingly widened as recommended.

The parking spaces shown on proposed site plan when widened will result in reduction of the overall number. If the number of the proposed apartments are to remain the same, then the parking deficit will be expected to be met elsewhere on site for the proposal to be acceptable.

32. The area of hardstanding which serves the proposed parking spaces is just below the recommended 6m. However, there is no room within the layout of this site to increase the width of the parking spaces. A condition is attached to the recommendation requiring the submission of a parking layout which allows for acceptable vehicle movements. However, this is likely to result in less than 12 parking spaces being provided.

33. Policy ST4 of the Local Plan does state that locations that are considered to be more sustainable and well served by public transport may be considered appropriate for lower levels of provision. The site is located within a very sustainable location very close to the town centre, supermarkets and public transport. It is also noted that the current site has an authorised industrial use with no off-site parking provision and as such any on-site parking is considered to be a benefit. A condition is recommended requiring cycle storage to enable choice for the future residents. It is considered that within this location a lower level of parking is considered appropriate.

34. The Highway Engineer has also commented that the existing extensive concrete vehicle dropped crossing in front of the site should be replaced with tarmac to a levelled surface, including new kerb realignment to tie in with the existing footways to the north and south ends of the site boundary. This can be addressed by condition.

Ecology

35. The proposal will involve the demolition of existing buildings which have the potential to support protected species, in particular bats. In this regard the application is supported by a Preliminary Bat Survey and Ecological Assessment. This has been reviewed by the Ecologist at Greater Manchester Ecology Unit who have made the following comments:

Bats

36. The buildings are ex industrial premises which are in a derelict state, most of the roof coverings are absent. The buildings are located in an urban setting close to the centre of Chorley with very little in the way of foraging and/or commuting bat habitat in the locality. The survey was undertaken on 25th August, 2015 and comprised an internal and

external inspection of the buildings. No bats or signs of bats were found at the time of the survey and the buildings were considered to have a negligible potential to support roosting bats. No further survey work in relation to bats is therefore considered necessary and work can proceed with a very low risk to roosting bats.

37. Notwithstanding the above, bats are mobile in their habits and can be found in the most unlikely places. If bats are found at any time during works, then work should cease immediately and advice sought from a suitably qualified bat worker. We would therefore suggest that an informative notice to this effect be placed on any permission, if granted.

Birds

38. The building and the large tree to the west of the site have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). We would therefore recommend that demolition works and any work to the tree to the west of the site should not be undertaken in the main bird breeding season (March to July inclusive), unless birds are found to be absent by a suitably qualified person. We would therefore suggest that a condition to this effect be placed on any permission, if granted, in order to protect wild birds.

Biodiversity Enhancement

39. In line with Section 11 of the NPPF, we would recommend that opportunities for biodiversity enhancement be incorporated into the new development. These should include:
- Bat bricks and/or tubes within the new development
 - Bat boxes
 - Bird boxes
 - Native tree and shrub planting
40. Following the high court decision (*R (on the application of Simon Woolley) v Cheshire East Borough Council*, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
41. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive. As set out above no significant adverse impact on protected species or biodiversity are identified and any impacts can be addressed by precautionary and enhancement measures. As such it is considered that the Local Authority has engaged with the three tests of the Habitats Directive and the guidance contained within the Framework and from an ecological perspective the proposals are acceptable.

Public Open Space

42. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013 and open space requirements relating to new housing schemes need to accord with Local Plan Policies HS4A and HS4B and the approach in the SPD.

43. In respect of this part of the Borough, the following open space typologies are applicable:

Amenity Greenspace

44. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a deficit of provision in the Chorley South East ward in relation to this standard,

a contribution towards new provision in the ward is therefore required from this development.

45. As the development is 10 or more dwellings the required amenity greenspace should be provided on-site. The amount required is 0.02 hectares. The proposed development represents a high density scheme which reduces the amount space available for landscaping however an amended site plan has been provided detailing where landscaping can be provided which includes grasscrete parking spaces which will reduce the amount of standard hardstanding at the site. A maintenance cost of £8,400 is also required for a 10 year period if private maintenance is not proposed which will be secured by the legal agreement.

Provision for children/young people

46. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Chorley South East ward in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

Parks and Gardens

47. There is no requirement to provide a new park or garden on-site within this development. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

48. There is no requirement to provide new natural/semi natural greenspace on-site within this development. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments

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

Playing Pitches

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

51. The total financial contribution required from this development is as follows:

Amenity greenspace	= £8,400 (maintenance)
Equipped play area	= £0
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £180
Playing Pitches	= £19,188
Total	= £27,768

Sustainable Resources

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

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

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

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

Community Infrastructure Levy

54. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council’s Charging Schedule however it is noted that apartments have a £0 levy.
55. Lancashire County Council Education have commented that an education contribution is not required at this stage in relation to the proposed development. The Education Authority have commented that a recalculation would be required at the point at which the application is considered for decision to assess whether the situation has changed. This notwithstanding Chorley is a CIL Charging Authority and CIL includes education provision, as such it would not be possible to secure a separate education contribution for the proposed development.

Archaeology

56. Lancashire County Council Archaeology Section have considered the proposed development and commented that the warehouse proposed for demolition corresponds in size and location to a structure depicted on the 1894 1st Edition Ordnance Survey 1:2500 mapping (Lancashire Sheet 77.12, surveyed 1889). The Structural Survey Report states the name stone 'Palais de Danse' is present in the front elevation. This can be seen on Google Street View, along with two stone wreaths inset immediately above the ends of the name stone and suggests the building is of some historic interest.
57. Given the above Lancashire Archaeology have recommended that a rapid assessment and an appropriate photographic record of the building be made prior to demolition, this could be secured by condition.
58. Lancashire Archaeology were advised of the ever declining state of repair of the buildings and commented that the site is quickly recorded photographically and a short description produced. The agent for the application has been advised of this and confirmed that his client is going to be putting the stone tablets back into the apartment building gables as

per the original building. The standard condition has been amended slightly to take into account the decline of the site.

Overall Conclusion

59. The proposed development will see the redevelopment of a piece of brownfield land within a sustainable part of Chorley Town for one bedroom apartment accommodation. Although the development will result in the loss of existing employment land it is not considered that this loss will adversely impact on the Borough's employment land provision. The proposed development is considered to be an appropriate re-use of this site and as such 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.

Suggested Conditions

No.	Condition															
1.	<p>An application for approval of the reserved matters (namely the landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved. Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>															
2.	<p>The development hereby permitted for upto 12 apartments and shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 622 1193 936"> <thead> <tr> <th>Title</th> <th>Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>000/BAS/LP</td> <td>8th February 2016</td> </tr> <tr> <td>Proposed Site Plan</td> <td>000/BAS/SP Rev A</td> <td>24th March 2016</td> </tr> <tr> <td>Proposed Plans and Elevations Block 1</td> <td>000/BAS/PL1</td> <td>8th February 2016</td> </tr> <tr> <td>Proposed Plans and Elevations Block 2</td> <td>000/BAS/PL2</td> <td>8th February 2016</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Reference	Received date	Location Plan	000/BAS/LP	8th February 2016	Proposed Site Plan	000/BAS/SP Rev A	24th March 2016	Proposed Plans and Elevations Block 1	000/BAS/PL1	8th February 2016	Proposed Plans and Elevations Block 2	000/BAS/PL2	8th February 2016
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Proposed Plans and Elevations Block 2	000/BAS/PL2	8th February 2016														
3.	<p>As part of the application for reserved matters or prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved. Reason: Full details of the proposed external facing materials were not provided as part of the application and in order to ensure that the materials used are visually appropriate to the locality samples are required.</p>															
4.	<p>As part of the first application for reserved matters or prior to the commencement of development full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. Reason: Full details of the proposed fences/walls were not provided as part of the application and in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents the details are required.</p>															
5.	<p>The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details. Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>															
6.	<p>As part of the first application for reserved matters or prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained. Reason: The submitted information did not include details of the hard surfacing</p>															

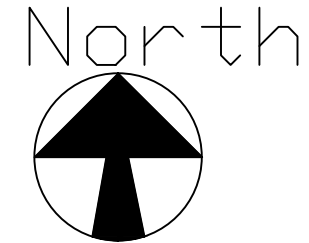
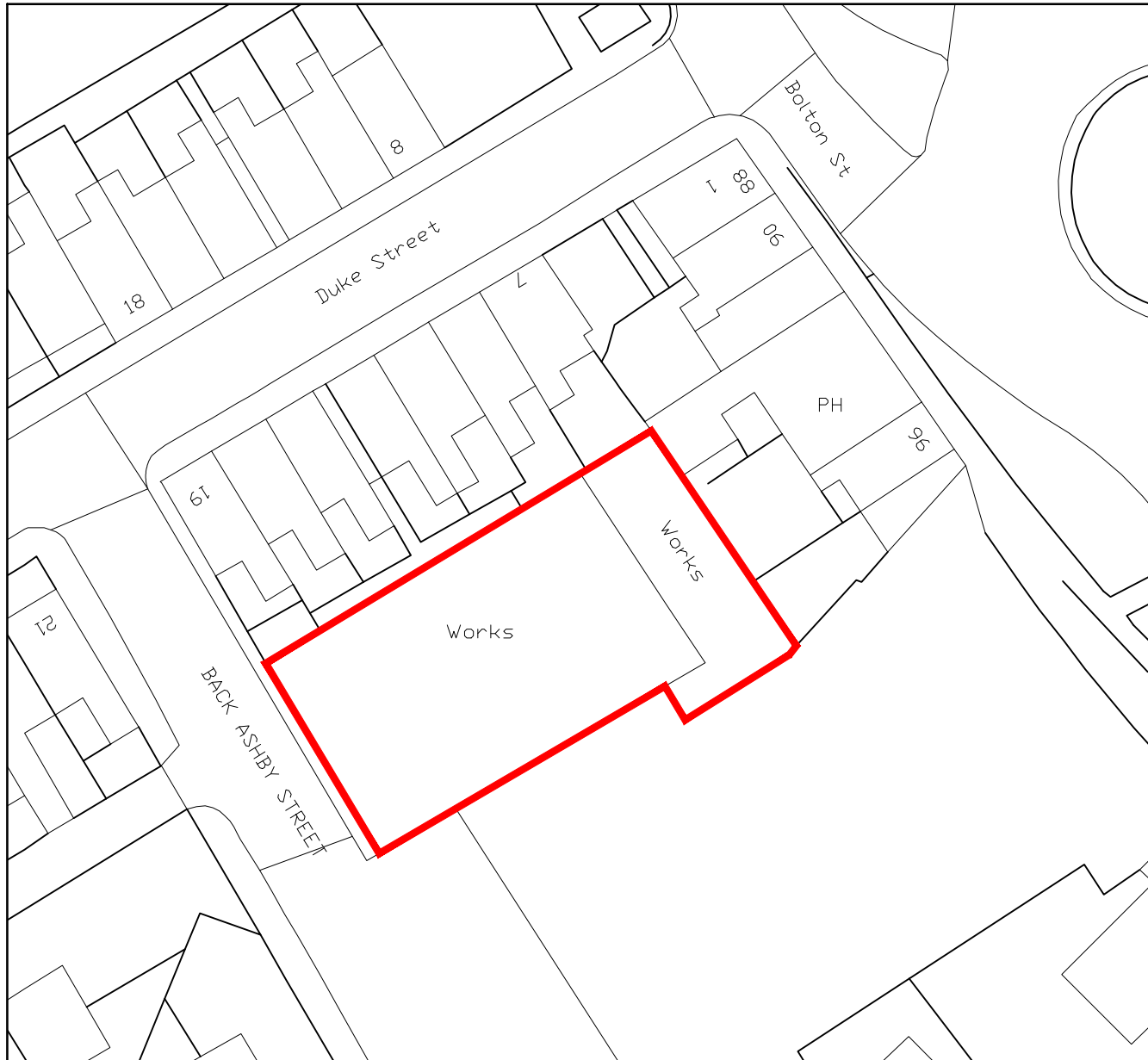
	materials and to ensure that the materials used are visually appropriate to the locality samples are required.
7.	All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.
8.	Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each apartment will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.
9.	No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that each apartment has achieved the required Dwelling Emission Rate. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Ascent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.
10.	No development shall take place until a Construction Method Statement has first been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for: <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors wholly within the application site • hours of operation (including deliveries) during construction and demolition • loading and unloading of plant and materials wholly within the application site • storage of plant and materials used in constructing the development wholly within the application site • measures to control the emission of dust and dirt during construction • a scheme for recycling/disposing of waste resulting from construction works Reason: The site is located close to existing dwellings and businesses served off an unadopted road. The specified information is required in the interests of highway safety and to protect the amenities of the nearby residents. This information is required prior to commencement to ensure that the entire project adheres to appropriate procedures.
11.	Prior to the commencement of the development details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. No building shall be occupied until the approved foul drainage scheme has been completed to serve that building, in accordance with the approved details. This development shall be completed maintained and managed in

	<p>accordance with the approved details Reason: In the interests of the proper drainage of the site.</p>
12.	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 5l/s. Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. Drainage is an early activity in the construction process and it is in the interest of all stakeholders to ensure the approach is agreed before development commences. This condition is imposed in light of policies within the Framework and NPPG.</p>
13.	<p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species. Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
14.	<p>No demolition shall commence between the 1st March and 31st July inclusive in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority. Reason: Evidence of nesting birds was identified as part of the assessment of the buildings and this condition is required to ensure there is no adverse impact to birds during the bird breeding season.</p>
15.	<p>Prior to the commencement of the development or as part of the first reserved matters application measures for biodiversity enhancement to be incorporated into the new development shall be submitted to and approved in writing by the Local Planning Authority. These should include: -Bat bricks and/or tubes within the new development -Bat boxes -Bird boxes -Native tree and shrub planting. The approved measures shall be incorporated into the approved development prior to the occupation of the first dwelling and shall be retained in perpetuity thereafter. Reason: In accordance with Section 11 of the Framework which encourages identification of opportunities for biodiversity enhancement.</p>
16.	<p>Due to the sensitive end-use (residential), no development (excluding demolition) shall take place until: 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 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; 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 Local Planning Authority; c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority. Thereafter, the development shall only be carried out in full accordance</p>

	with the approved remediation proposals. Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).
17.	Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority. Reason: To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). Please note it is the applicant's responsibility to properly address any land contamination issues.
18.	No works shall take place on the site (in particular any demolition works) until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.
19.	All windows in the first floor of the north west elevation of Block 1 and all windows in the north east elevation of Block 2 hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority. Reason: In the interests of the privacy of occupiers of neighbouring property.
20.	As part of the first application for reserved matters or prior to the commencement of development a scheme for the construction of the site access shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include the removal of the existing extensive concrete vehicle dropped crossing in front of the site to be replaced with tarmac to a levelled surface, including new kerb realignment to tie in with the existing footways to the north and south ends of the site boundary. The access thereafter shall be completed in accordance with the approved plans prior to the occupation of the dwellings hereby approved. 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.
21.	Notwithstanding the submitted plans either as part of the first application for reserved matters or prior to the commencement of development plans and particulars showing the provision for the parking and associated manoeuvring areas (including full details of the surfacing, drainage and marking out of the spaces) shall be submitted to, and approved in writing by, the Local Planning Authority. Such details as agreed shall be laid out and made available in all respects prior to the first occupation of the building to which it is related and thereafter retained (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015). Reason: In order that the Council may be satisfied with the details of the proposal as the current parking layout is unlikely to enable vehicles to manoeuvre in and out of the spaces safely.
22.	Prior to the commencement of the development or as part of the first reserved matters application full details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall thereafter be provided in accordance with the approved details. Reason: To ensure adequate on site provision for cycle parking to enable choice of transport modes to and from the site

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Back Ashby Street, Chorley, PR7 3DR



Site plan - 1:500



bpd Architecture
 chartered practice
 Suite 5, Hearle House, 5 East Terrace Bus. Park, Euxton Lane
 Euxton, Chorley, Lancashire PR7 6TB
Tel: 01257 220510
 web: www.betterplan.co.uk
 email: info@betterplan.co.uk

Project

**Back Ashby Street, Chorley,
 PR7 3DR**

Title

A4 LOCATION PLAN

Scale @ A4

1:500

Date

Jan 2015

Ref

Job 000

Drawn

JSWR

Drg No

000/BAS/LP

Rev

-

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AssessmentProposed Development

1. This is an outline application to establish the acceptability of the principle of constructing up to 7 dwellings on this site. Consent is sought at this stage for the means of access to the site. All other matters are reserved for subsequent approval.
2. The site is an existing Builders and Plumbers Merchants accessed off Hartington Road within the settlement of Brinscall. The site is currently predominantly made up of hardstanding used for access and storage and existing buildings including a shop, storage unit and house.

Principle of the Development

3. The site is located within the settlement area of Brinscall as identified within the Local Plan. The Local Plan identifies that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or green infrastructure. This should be read in conjunction with other policies and proposals in the plan and with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1 Brinscall is identified as a Rural Local Service Centre where limited growth and investment will be encouraged to help meet local housing and employment needs and to support the provision of services to the wider area.
4. After visiting the site and assessing the planning history of the site it is clear that the business comprises an element of manufacturing (including wooden fencing, lintels and concrete posts), a builders/plumbing merchants and trade/ retail sales of building materials and tools. There is no one clear main use of the site and as such it is considered that the use of this site is sui generis. Although sui generis uses are excluded from the definition of employment within the Controlling Re-Use of Employment Premises SPD, the current enterprise on the site does provide some employment and the site has been marketed for sale. As such the proposals are assessed against the provision of Policy 10 of the Core Strategy. Policy 10 states:

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

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

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

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

5. In accordance with Policy the application is supported by a Proof of Marketing Statement.

(a) there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;

6. This is a site that could be re-used for employment purposes however any use other than a Builders/ Plumbers Merchants would require planning permission. This site was not included within the Employment Land Review which formed part of the evidence base for

the Local Plan and is not allocated for employment use within the Local Plan. Given the size and location of this site it is not considered that this proposal for housing on the site would result in an unacceptable reduction in the type, quality or quantity of the employment land supply in the Borough.

(b) the provision and need for the proposed use;

7. The proposal is for housing on the site. The Council has a five year deliverable supply of housing plus 5% and there is no urgent requirement to release additional land for housing. However, housing requirements are not a maximum and this proposal is within the settlement boundary of Brinscall which Core Strategy Policy 1 designates as a Rural Local Service Centre Service where some growth and investment will be encouraged. It is also a brownfield site and the Council has a target of 70% of all new housing development to be provided on brownfield sites. Additionally the scheme will provide an element of affordable housing which is in high demand in the village.

(c) the relative suitability of the site for employment and for the alternative use;

8. The site is served from an unclassified relatively narrow residential street off a C road (Railway Road) which restricts access to the site. Additionally the site has no active frontage for advertising purposes which may deter alternative occupiers to the site. The site is however relatively sustainable, being within the settlement of Brinscall close to designated local shopping centre and a bus route and stops.

(d) the location of the site and its relationship to other uses;

9. The site is adjacent to residential uses and is accessed via a relatively narrow residential street with on street parking. The business is open Monday to Saturday and two of its own large industrial vehicles (a 23 ton and a 7 ½ ton truck) make deliveries every day approximately 7 times a day. Additionally the business also receives approximately 8 deliveries a week from other vehicles including articulated trucks to 8 wheel rigid tippers. The nature of the business has the potential to directly conflict with the immediate residential neighbours.

(e) whether the ability to accommodate smaller scale requirements would be compromised;

10. The site has been marketed, addressed further below, however no offers for alternative employment uses on this site have been received.

(f) there would be a net improvement in amenity.

11. It is considered that removing this business from a predominantly residential area will improve the living conditions for the neighbours, in particular removing unsuitable vehicles movements from the unclassified road. The majority of the site is hardstanding and used for the storage and sale of materials. It is considered that a well-designed residential scheme could enhance this rural area removing a large amount of external storage areas and creating a scheme which is more sympathetic with this residential area.

(g) convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;

12. The current business has been available for purchase with Mirrelson Commercial for 80 weeks prior to the application being submitted (February 2016) and was on the market for approximately 2 years with another agent prior to that. The original price was £550,000 however due to lack of interest and the owner's desire to sell, the price was reduced to £250,000. There was interest raised in the business but a sale was never agreed.

13. The property was included on Mirrelson Commercial web-site and Daltons Business web-site. It is not clear whether boards were erected on site however given that the site is at the end of a cul-de-sac, boards on site would have had little impact in terms of advising potential business purchasers that this site is available.

(h) an assessment of the viability of employment development including employment re-use and employment redevelopment.

14. The information missing from the marketing work done to date relates to demonstrating that the costs of refurbishment/redevelopment exceed the likely returns from the site in accordance with the Controlling Re-Use of Employment Premises SPD. The agent for the application was advised of this omission and he has confirmed that the company who have been marketing the site, Mirrelson Commercial, do not have the expertise to prepare a report to satisfy this policy requirements and this would need to be obtained from another consultant. This is due to the fact the viability exercise will need to be undertaken by a qualified consultant which will be a further cost to the applicant.
15. However, the thrust of Policy 10 and the accompanying SPD is to ensure that developments do not result in an unacceptable reduction in employment land supply which includes considering the relative suitability of the site for employment uses. It is noted that small employment sites that are physically isolated from other employment sites, such as the application site, contribute to the local economy and can support the rural economy. However, this needs to be balanced against any conflicts with the amenity value of the surrounding area. As set out above the access arrangements to this site are restricted and the proximity of the site to residential dwellings reduces the potential re-use of this site for employment purposes given the need to protect the neighbours' amenities. The site currently employs 3 full time and 1 part time members of staff and as such the loss of the business will not result in significant job losses.
16. The Local Plan has an employment land supply for the period 2010-2026 as 100.61 hectares however as employment uses have not been specifically identified on this site and the current use of the site is a sui generis use, it is specifically excluded from the definition of employment in respect of Policy 10 and it is not considered that the redevelopment of this land will compromise the Council's land allocations for employment and the overall employment land supply.

Impact on the Neighbours

17. Although consent is not sought for layout as part of this outline application, an indicative layout plan has been provided to demonstrate that 7 dwellings can be accommodated on the site. The layout details three bedroom, semi-detached two-storey homes with the exception of plot 1 which is detached.
18. The immediate neighbours to the site are 15, 17 and 20 Hartington Road, 11 and 14 Salisbury Road and Parkside Villa.
19. 15 Hartington Road is the applicant's property and is a two storey terraced property attached to 17 Hartington Road which is occupied by the shop part of the existing business on site. The proposal includes the retention of 15 Hartington Road as a dwellinghouse and no.17 will be demolished. The indicative layout details plots 4-7 facing the side gable of 15 Hartington Road. However, 12m is retained from the front elevation of the new dwellings to the side elevation of the existing dwelling along with over 10m to the private rear garden area. As such it is considered that a layout can be secured at reserved matters stage which protects the amenities of the existing and future residents. It is noted that Hartington Road rises upwards to the application site however the application site has a similar land level as 15 Hartington Road and as such the new dwellings will not be at a significantly higher level than the adjacent neighbours ensuring that greater spacing distances are not required. There is a raised area of hardstanding currently on the site which will be removed as part of the proposals to create levels similar to the adjacent dwellings.

20. 20 Hartington Road is a two storey end terrace property which appears to be a later addition to the terrace and faces in a north west direction rather than onto the highway. The property has side windows which face the site and appear to serve habitable rooms. However, the indicative layout shows that the proposed houses can be offset from these windows and given the orientation of the proposed dwellings (to the northwest of the existing dwelling and its garden area) it is not considered that the proposed development will adversely impact on the amenities of the existing or future residents.
21. Parkside Villa is a detached dwelling which has been constructed in the garden of 20 Hartington Road. Approximately 28m is however retained between this dwelling and the indicative location of plot 7 and as such it is considered that dwellings can be sited at reserved matters stage whilst protecting the amenities of the neighbours and future residents.
22. 14 Salisbury Road is an end terraced property adjacent to the indicative location of plot 2. 14 Salisbury Road has one high level window in the side elevation facing the application site. It is not clear what this window serves however its size means that it is unlikely to be the main source of light into a habitable room. The proposed dwellings are located to the north west of the existing property ensuring that loss of light will not be an issue. It is considered that an acceptable layout can be secured at reserved matters stage without adversely impacting on the amenities of the existing or future residents.
23. 11 Salisbury Road is an end terraced property which is currently located next to a large storage building/ workshop associated with the existing business. This existing building will be demolished and the indicative siting plan shows its replacement with one dwelling. There are no windows in the side elevation of 11 Salisbury Road. The proposed dwelling is located to the north west of the existing property ensuring that loss of light will not be an issue. It is considered that an acceptable layout can be dealt with at reserved matters stage without adversely impacting on the amenities of the existing or future residents.

Affordable Housing

24. Policy 7 of the Core Strategy sets out the requirements for the provision of affordable housing in Central Lancashire to meet the acute need for such housing in the area. Amongst other things, the policy states that the minimum site size threshold will be 15 dwellings (0.5 hectares or part thereof) but a lower threshold of 5 dwellings (0.15 hectares or part thereof) is applicable in rural areas. As Brinscall is a Rural Local Service Centre the 5 dwelling threshold applies in this case. Policy 7 is supported by the accompanying Supplementary Planning Document on affordable housing (SPD) which was adopted in October 2012.
25. 35% of 7 proposed dwellings equates to 2 on site affordable units. The Council's Strategic Housing Officer has considered the scheme and confirmed that considering bids on various affordable dwelling types and sizes they are all in high demand in the village. The highest demand is for 1 bedroom bungalows, then 2 bedroomed houses with some demand for 3 bedroomed houses.
26. Out of the 53 social rented dwellings, the officer is aware of in the parish, there are only two 2 bedroom bungalows. As such the highest demand on this site would be two bedroom 3 person bungalows in respect of the affordable housing provision.
27. The indicative layout does not include bungalow provision however this is indicative and bungalows could possibly be secured at reserved matters stage. The S106 Agreement will include either the provision of bungalows or 2 bedroom houses which reflects demand in the area.

Highways and Access

28. It is proposed to access the site via a private shared drive from the Salisbury Road and a shared parking court and driveway from Hartington Road. The Hartington Road access will be split between a new driveway to plot 7 at the end of the road and a shared parking court which will be accessed through a side access point created following the demolition

of the existing shop building. The Salisbury Road access will effectively extend the road and building line to the north-west boundary with a newly formed 4.5m road and off-road parking for plots 1-3.

29. The proposed scheme has been assessed by the Highway Engineer at LCC who has confirmed that Hartington Road and Salisbury Road are adopted highways and already provide vehicular access to the site. Apart from a single recorded traffic incident at Railway Road/Hartington Road involving a vehicle and a cyclist, there are no known highway issues at the junctions and indeed on both roads. There is however potential for a slight delay for vehicles turning from Railway Road into Hartington Road whenever buses are present at the bus stops, although this is not uncommon on local roads.
30. Whilst the indicative layout is acceptable in principle, the Engineer has made the following comments in respect of the layout:
- The layout of the first parking space for Plot 3 is unacceptable due to its irregular shape.
 - The required width of 2.4m for parking spaces for Plot 2 cannot be achieved at the proposed location due to the offset created by the external wall of No. 14 Salisbury Road.
 - The layout of parking spaces for Plot 7 leaves no room for turning and vehicles would have to reverse onto the highway to exit. Given that the existing properties along the road are terraced with on-street frontage parking, it is unclear how turning manoeuvres will be undertaken. It is also possible that vehicles may park partially on the footway within the short section of highway opposite 20 Hartington Road and cause access to Plot 7 to be narrowed.
 - The width of the proposed access serving Plots 1-3 should be checked to see if it is within acceptable limit.
31. The proposed development indicatively includes 7 three bedroom dwellings. In accordance with Policy ST4 of the Adopted Local Plan, two off road parking spaces per dwelling are required. The supporting information states that parking has been designed to ensure that there are two parking spaces for each three-bedroom property by utilising either driveways or individual parking spaces. Although the Engineer's comments above are noted, it is considered that a suitable layout and sufficient parking can be accommodated at reserved matters stage for up to 7 dwellings on this site.

Public Open Space

32. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013 and open space requirements relating to new housing schemes need to accord with Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity Greenspace

33. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a deficit of provision in Brinscall in relation to this standard, a contribution towards new provision in the settlement would therefore be required from this development however there are no identified schemes for new provision.

Provision for children/young people

34. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in Brinscall in relation to this standard, a contribution towards new provision in the settlement would therefore be required from this development however there are no identified schemes for new provision.

Parks and Gardens

35. There is no requirement to provide a new park or garden on-site within this development.

Natural and Semi-Natural Greenspace

36. There is no requirement to provide new natural/semi natural greenspace on-site within this development. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study; therefore a contribution towards improving existing provision is not required.

Allotments

37. No allotment contribution is required from this development.

Playing Pitches

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

Ecology

39. The development involves the demolition of existing buildings on the site and as such the application is supported by an Ecological Survey & Assessment in respect of bat species and nesting birds. This has been reviewed by the Ecologist at Greater Manchester Ecology Unit who has made the following comments.
40. The Ecological Report (survey in respect of bats and nesting birds) appears to have used reasonable effort to assess the structures on the site for evidence of bats and made an assessment of their likelihood to support bat roosts. The Report found no evidence of bat usage and negligible features of value for potential roosting.
41. The Report notes that small numbers of bats may be encountered in highly unlikely circumstances and should this unexpectedly occur then all work should cease and appropriate advice should be sought and implemented from the licensed bat ecologist.
42. The Report notes that the condition of the buildings may alter over time and if no demolition or removal of roof coverings has occurred by spring (April 2017) then a reassessment of the structures – particularly the shop and terraced house – should be undertaken.
43. The Report indicates that the pond to the north east of the application site is a koi carp fishing pond. Although it has not been possible to verify this, given this reported usage and the hard standing that occupies over 80% of the application site, it is considered that there is no reasonable likelihood of other protected species being present on the site. This includes great crested newt (Habitats Regulations 2010) in addition to other species such as common reptiles, badger and aquatic species such as water vole/otter.
44. The Ecologist considers that no further survey work or mitigation is required at the current time. Suitable conditions have been suggested by the Ecologist.
45. Following the high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
- (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
46. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority is required to engage with the

Directive. As set out above no significant adverse impacts on protected species or biodiversity are identified and any impacts can be addressed by precautionary and enhancement measures. At a national level the Framework indicates that planning determinations should seek to make positive contributions to biodiversity and as such it can be conditioned that the boundary treatment with the adjacent footpath and open space comprises native species planting. As such it is considered that the Local Authority has engaged with the three tests of the Habitats Directive and the guidance contained with the Framework and from an ecological perspective the proposal is acceptable.

Sustainable Resources

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

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

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

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

Community Infrastructure Levy

49. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council’s Charging Schedule.

Overall Conclusion

50. The proposed development involves the redevelopment of previously developed land to secure a form of development which will complement and enhance this rural area. As such the proposed application is recommended for approval subject to the associated legal agreement.

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
91/00526/FUL	Extension to include canopy to concrete batching area	Withdrawn	

Suggested Conditions

No.	Condition						
1.	<p>An application for approval of the reserved matters (namely the appearance, layout, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>						
2.	<p>The development hereby permitted for upto 7 dwellings shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 656 1050 750"> <thead> <tr> <th data-bbox="320 656 509 687">Title</th> <th data-bbox="509 656 778 687">Reference</th> <th data-bbox="778 656 1050 687">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 687 509 750">Location Plan</td> <td data-bbox="509 687 778 750">15/106/L01</td> <td data-bbox="778 687 1050 750">16th March 2016</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Reference	Received date	Location Plan	15/106/L01	16th March 2016
Title	Reference	Received date					
Location Plan	15/106/L01	16th March 2016					
3.	<p>As part of the application for reserved matters or prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: Full details of the proposed external facing materials were not provided as part of the application and in order to ensure that the materials used are visually appropriate to the locality samples are required.</p>						
4.	<p>As part of the first application for reserved matters or prior to the commencement of development full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: Full details of the proposed fences/walls were not provided as part of the application and in order to ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents the details are required.</p>						
5.	<p>The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>						
6.	<p>As part of the first application for reserved matters or prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p>Reason: The submitted information did not include details of the hard surfacing materials and to ensure that the materials used are visually appropriate to the locality samples are required.</p>						

<p>7.</p>	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
<p>8.</p>	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
<p>9.</p>	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
<p>10.</p>	<p>No development shall take place until a Construction Method Statement has first been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:</p> <ul style="list-style-type: none"> • the parking of vehicles of site operatives and visitors wholly within the application site • hours of operation (including deliveries) during construction and demolition • loading and unloading of plant and materials wholly within the application site • storage of plant and materials used in constructing the development wholly within the application site • measures to control the emission of dust and dirt during construction • a scheme for recycling/disposing of waste resulting from construction works <p>Reason: The site is located at the end of two narrow residential streets with restricted parking opportunities and within close proximity to existing dwellings. The specified information is required in the interests of highway safety and to protect the amenities of the nearby residents. This information is required prior to commencement to ensure that the entire project adheres to appropriate procedures.</p>
<p>11.</p>	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access(es) has been submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The access thereafter shall be completed in accordance with the approved plans prior to the occupation of the dwellings hereby approved. 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>12.</p>	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed in accordance with the approved details. Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>13.</p>	<p>Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:</p> <ul style="list-style-type: none"> a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident's Management Company; and b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime. The development shall subsequently be completed, maintained and managed in accordance with the approved plan. <p>Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.</p>
<p>14.</p>	<p>Foul and surface water shall be drained on separate systems. Reason: To secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>15.</p>	<p>A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded and paved or hard landscaped and the boundary treatment with the adjacent footpath and open space should comprise only native plant communities appropriate to the natural area and opportunities should be incorporate for bird nesting and bat roosting.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality</p>

	design.
16.	<p>If the demolition hereby approved or removal of roof coverings does not commence before 1st April 2017, the buildings to be demolished shall be reassessed for bat roosting potential prior to demolition. Full details of the findings shall be submitted to and approved in writing by the Local Planning Authority prior to the demolition of the buildings. Thereafter the buildings shall be demolished in accordance with any identified mitigation measures.</p> <p>Reason: In the interests of maintaining the population of bats in this location and to ensure that the approved development does not adversely impact on bats.</p>
17.	<p>Due to the size of development and proposed sensitive end-use (residential housing), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study and site investigation must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.</p> <p>Reason: to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012). A Desk Study Report should include a desk study and site reconnaissance (walk over) and preliminary risk assessment as defined in 'CLR 11: Model Procedures for the Management of Land Contamination' (Environment Agency, 2004). Further guidance and advice on producing the report can be obtained from the Contaminated Land Officer on 01527 515661.</p>

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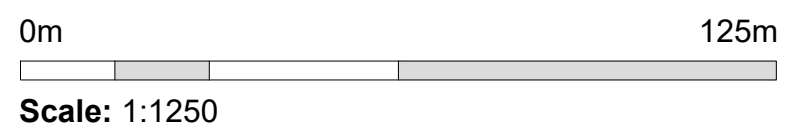


Existing Site Layout 1:500



Location Plan

1:1250



Revision Notes:

CLIENT
Mr.A. Calderbank - BB&PM Ltd

PROJECT NAME
Proposed change of use of a builders & plumbers merchants to residential at

17 Hartington Road, Brinscall, Chorley, PR6 8RG

DRAWING NAME
Existing Site and Location Plan

SCALE	DRAWN BY	DATE	DRAWING NUMBER	REVISION
Varies @ A3	ASL	10/12/15	15/106/L01	-

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Item 3g	16/00359/FUL
Case Officer	Iain Crossland
Ward	Eccleston and Mawdesley Ward
Proposal	Erection of 4 no. detached dwellinghouses and associated garages
Location	Land 35M West Of 19 Bannister Lane Eccleston
Applicant	N. Andrews Homes Ltd.
Consultation expiry:	20 May 2016
Decision due by:	13 June 2016

Recommendation

It is recommended that this application is approved subject to conditions and the associated Legal Agreement

Executive Summary

The main issues to consider are the loss of the open space, whether the proposal would result in an acceptable impact on neighbour amenity, the character and appearance of the surrounding area and the highway impact. As assessed below the proposals are considered to be acceptable when assessed against the relevant criteria

Representations

Eccleston Parish Council no comments received
In total 2 representations have been received which are summarised below
Support
Total No. received: 2
<ul style="list-style-type: none">• Support on the basis that a tree at the entrance to the estate is transplanted.• Support for the development but suggestion that the dwellings facing Bannister Lane should be turned to face the estate, and concerns over highway safety regarding access to plot 4.

Consultees

Consultee	Summary of Comments received
GMEU (Ecology)	No overall objections to the scheme on ecological grounds
LCC Public rights of way officer	The proposed development site does not affect a route recorded by the Definitive Map of Public Rights of Way so I have no comments to make with regards this application.
United Utilities	United Utilities will have no objection to the proposal and therefore request no conditions are attached to any approval.
LCC Highways	No objection to the proposed development

AssessmentThe Site

1. The application site is an area of open space located within the settlement area of Ecclestone. The site is relatively level and comprises rough grassland land bounded to the west by Larkfield, a telephone exchange to the north, and Bannister Lane to the east and south wherein the site tapers back at roughly 45° following the line of the road. A public footpath crosses the site from east to west and there are trees on the site in the north eastern corner, which are the subject of a TPO (Tree Preservation Order) along with other trees to the east outside of the site boundary which are also subject to the same TPO. There are other trees on the site boundaries which are not the subject of a TPO.
2. The area is characterised predominantly by residential dwellings in a variety of design styles and types, which result in a generally suburban character. The dwellings along Larkfield are of a modern dormer bungalow design style, whilst those on Bannister Lane are of a more traditional design style.

The Proposal

3. The proposed development is for the erection of four detached dwellinghouses with associated garden curtilage and detached garages.
4. The proposed dwellings would have a traditional design with dual pitched roofs and gable features. There would be enclosed gardens to the rear of the properties, with driveway parking to the sides and small front gardens bound by a hedge. There would be a 1.8m high wall to the rear of Plots 3 and 4 facing the access from Larkfield.
5. Vehicular access to plots 1 to 3 would be gained from Larkfield, whilst access to Plot 4 would be direct from Bannister Lane. All dwellings would have pedestrian access to Larkfield and the public footpath leading to Bannister Lane.
6. The route of a public footpath crossing the site would be altered slightly, with public access retained.

Assessment

The main issues are as follows:-

Issue 1 – Loss of Public Open Space

Issue 2 – Impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on highways/access

Issue 4 – Ecology and trees

Issue 6 – S106

Issue 7 – CIL

Issue 8 – Other matters

Principle of the Development

7. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
8. Policy 1(e) of the Central Lancashire Core Strategy encourages limited growth an investment to meet local housing needs in Rural Local Service Centres such as Ecclestone.
9. The application site is located in the core settlement area of Ecclestone, on an area of amenity open space designated as such within the Chorley Local Plan 2012 - 2026. Policy HW2 of the Chorley Local Plan 2012 – 2026 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.

10. This approach is reflected and supported in the National Planning Policy Framework (The Framework).
11. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location with easy access of public transport and amenities such as shops, schools, churches and community facilities. The Framework also states that development in sustainable locations should be approved without delay.
12. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.

Loss of Public Open Space

13. Outline planning permission was previously granted for residential development although this lapsed in November 2013. The site is also now identified in the adopted Chorley Local Plan as Existing Open Space under Policy HW2.
14. The site is an existing area of open space and was identified and assessed as part of the Open Space Study and therefore allocated as open space in the adopted Chorley Local Plan 2012-26. Whilst the site may have previously benefitted from outline planning permission, this does not mean that it should not have been allocated as open space as there was no guarantee that the site would be developed. Furthermore, Local Plan Policy HW2 does not just apply to allocated open space, it also applies to any land currently or last used as open space therefore even if not allocated as open space Policy HW2 would still apply.
15. There is currently a significant deficit of amenity greenspace in Eccleston and the loss of further amenity greenspace would make this deficit worse.
16. The site is assessed as being low quality and low value in the Open Space Study and is not owned by the Council and, therefore, the Council do not have direct control over improving its quality and value. The site is also not considered to be a suitable location for recreational open space given its proximity to a road and the fact that it is not directly overlooked which raises safety issues.
17. The site appears rather unkempt and has been recently cut back to grass. It suffers a sense of abandonment, which is likely to persist without development given that it is in private ownership. It is considered that the site does not make a significant contribution to the character of an area in terms of visual amenity.
18. It is acknowledged that there may not be any suitable land available in Eccleston to provide alternative provision. In this instance it is considered that a commuted sum for the loss of the site would be acceptable, which the Council can then use for to improve existing open space provision in Eccleston.
19. On the basis of the above any planning approval would therefore be dependent upon a section 106 agreement detailing and securing such payment. The amount of open space to be lost is 1800 square metres. The commuted sum that would be required to replace this amount of amenity open space is £14,400 (1800 x £8).

Design and impact on the character of the area

20. The proposal is for the erection of four detached dwellinghouses. The proposed dwellings would be of a traditional design style and will utilise red clay facing bricks throughout with brick plinth and dentil details with artstone heads and sills to the window and door openings. The roofs will be finished in a grey concrete tile with red interlocking ridge tiles.

21. There are a range of properties types and styles in the area that have been developed over different periods of time resulting in mix of designs across the locality. The scale of development in the locality is split between the dormer bungalows of Larkfield to the west and of more traditional properties to the east at Bannister Lane that are mostly two storey in height. The proposed development would be compatible with the existing urban form providing a transition between two different scales of development.
22. The application site is bounded by residential properties to the west along Larkfield. The development would be a continuation of this street, and although the dwellings on Larkfield are of a modern dormer bungalow style, it is noted that the dwellings to the east on Bannister Lane are more traditional design. The proposed development would result in a transition between the two and would help bring Larkfield to a more suitable conclusion in comparison with the existing abrupt end to the street.
23. The dwellings at plot 1 and 2 would face the continued highway from Larkfield and would be consistent with the layout along Larkfield. Plots 3 and 4 would face Bannister Lane, which will help to improve the street scene along Bannister Lane in this location through the introduction of an active street frontage. The traditional design of the dwellings would reflect that of other dwellings along Bannister Lane. The scale would also be similar and the use of a hedge to the front boundary would suitably reflect the rural character of the lane.
24. It is noted that plots 3 and 4 would face away from the continued highway at Larkfield. Although this would not normally be encouraged this situation is considered to be acceptable in this instance in order to deliver an active street frontage along Bannister Lane. The effect of this on the new section of Larkfield is mitigated to some extent by the fact that plots 1 and 2 will face this highway, and that plots 3 and 4 have added detail to the rear by way of pediment features in the rear roof slope. There would be a screen wall to the rear of plots 3 and 4 that would have detailing including brick piers and artstone capping. There would be grassed verge and planting between this and highway, which would not harm the street scene in this location.
25. The density of the scheme would be fairly low and would be consistent with the surrounding density and pattern typical of suburban and rural locations.
26. The site currently suffers a sense of abandonment, with little prospect of improvement, and generally detracts from the character of the area. The proposal would introduce an active use by way of the proposed dwellings and associated garden curtilage, which would be maintained in perpetuity. The proposed development would therefore result in an overall improvement in the appearance of the site and would subsequently enhance the character of the area.
27. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on neighbour amenity

28. The application site is bounded by residential properties to the west along Larkfield with other nearby dwellings on Bannister Lane to the east.
29. Plot 1 would be located approximately 8.8m from the nearest property at 33 Larkfield. It would be positioned to the front of this dwelling in terms of the building line but would not have any adverse impact on outlook, privacy or light by virtue of the degree of separation, siting and relative positioning of windows to habitable rooms.
30. Plot 4 would be located approximately 15m from the nearest property at 94 Larkfield to the north-west. The proposed dwelling would be sited at an angle to this dwelling and would not have any adverse impact on outlook, privacy or light by virtue of the degree of separation and relative positioning.

31. Plot 3 would be located approximately 16m from the nearest property at 19 Bannister Lane to the east. The proposed dwelling would be sited at an angle to this dwelling and would not have any adverse impact on outlook, privacy or light by virtue of the degree of separation and relative positioning.
32. Other nearby dwellings are located at least 24m away for the proposed dwellings and the amenity currently enjoyed by the occupiers of these properties would not be unduly compromised.
33. The interrelationship between the proposed properties would be acceptable with no directly facing parallel windows, and acceptable distances between habitable room windows and rear garden areas. As a result there would be no adverse impact on outlook, privacy or light.

Impact on highways/access

34. The proposed development would result in 4 four bedroom dwellings. Off street car parking for three cars would be provided at plots 1, 2 and 4 by way of driveway parking and one garage space. Plot 3 would have two allocated parking spaces to the front of the dwelling at the head of the cul-de-sac and one garage space. These arrangements meet with the adopted parking standards set out in relation to Policy ST4 of the Chorley Local Plan 2012 – 2026. In addition to this the proposed dwellings would be located within close proximity to a range of amenities including shops, schools and services.
35. The development will be accessed via an extension of the existing highway along Larkfield, which will provide vehicular access to plots 1 to 3. The creation of an additional four dwellings to Larkfield would not generate a significant level of additional traffic movements and the principle of connecting to Larkfield is considered to be acceptable and would not cause harm to highway safety. This situation is confirmed by the LCC Highways officer.
36. Plot 4 would have direct vehicular access to Bannister Lane. Visibility at this point on Bannister Lane is good the LCC Highways officer confirms that the proposed access to Bannister Lane is acceptable.
37. It is therefore considered that there would be no harm to highway safety as a result of the proposed development.
38. An public right of way (Larkfield F8916) passes through the site. The footway would be re-routed to accommodate the proposed development, however, this would result in a slight change to the route and public access would be retained. The route diversion is not considered to be substantially less convenient for the public to use than the existing route.
39. It is possible the footway can be diverted, but this can only be by a legal process, either through Section 257 of the Town and Country Planning Act 1990 or Section 119 of the Highways Act 1980 after planning permission is obtained. These processes are separate from the planning application process.

Ecology and trees

40. The application site is not designated for its nature conservation value and is not close to any designated sites. It is considered to have only low potential to support any specially protected species, except for nesting birds, and it does not support any 'important' habitats. The Syd Brook corridor, a potentially important wildlife corridor, is nearby but this development will not fragment the corridor or directly affect the course of the Brook. The site cannot therefore be said to have substantive ecological interest.
41. There are some features on the site with local interest, most notably the broadleaved trees and particularly the trees along the corner of Bannister Lane. The majority of these trees are located outside the site boundary and there are no plans for their removal. The proposed plans show that the trees that fall within the site would be retained.

Compensatory tree planting is proposed for replacing any trees lost to the scheme and it is recommended that such replacement is conditioned as part of any planning approval.

Section 106 Agreement

42. The proposed development would generate a requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD. This would result in a contribution towards the off-site provision of natural and semi-natural greenspace and playing pitches totalling £8,624.
43. The proposal involves the loss of a small part of land allocated as open space under Policy HW2 in the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e). The proposal does not accord with criterion a) of Policy HW2 because there is a deficit of such provision in Eccleston. Therefore, in order to satisfy this policy, alternative provision is required under criterion a).
44. The grant of planning permission is subject to the applicant entering into a Section 106 agreement to make alternative provision or improvement to offset the loss of the public open space and off-site contribution towards the requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026.

Sustainable Resources

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

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

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

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

CIL

47. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council’s Charging Schedule

Overall Conclusion

48. The proposed development would have the benefit of providing new housing in a sustainable location. The proposal would have no unacceptable detrimental impact on the

amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition adequate parking is provided.

49. The existing public open space is low quality and on the basis that the loss is offset by alternative provision or improvement secured through an off-site contribution it is considered that this would have a greater benefit to the residents of Ecclestone than the retention of the current open space.
50. On the basis of the above, it is recommended that planning permission be granted.

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
10/00159/OUT	Proposed 6 No. houses and associated works	Approved	24 November 2010
09/00507/OUT	Erection of 5 No. 2.5 storey and 1 No. 2 Storey houses and associated works	Refused	24 August 2009

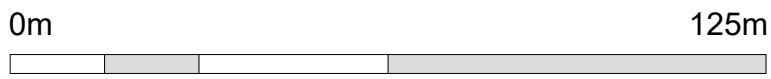
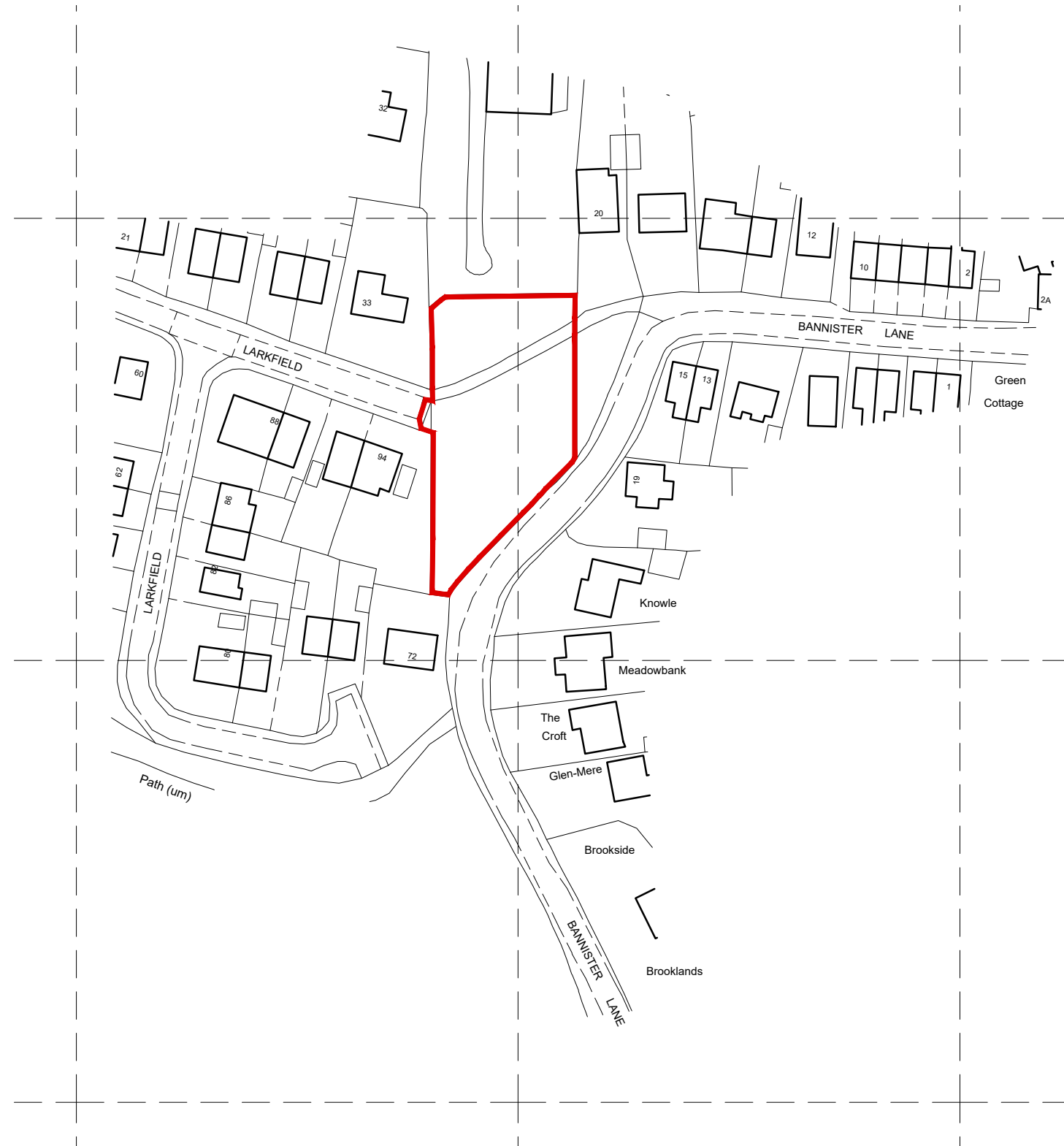
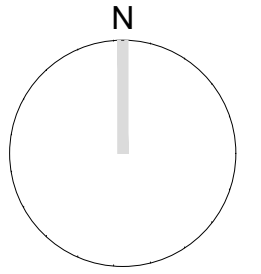
Suggested Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</i></p>
2.	<p>Notwithstanding the details shown on the submitted plans, the proposed car parking and turning areas shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.</p> <p><i>Reason: In the interests of highway safety and to prevent flooding</i></p>
3.	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
4.	<p>Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>
5.	<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.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
6.	<p>The parking and / or garaging 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).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
7.	<p>No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.</p> <p><i>Reason: To prevent harm to British birds nests and eggs, which are protected by Section 1 of the Wildlife & Countryside Act 1981.</i></p>
8.	<p>Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of</p>

	<p>the tree felling. Reason: To safeguard the visual amenity of the area.</p>
9.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards. Reason: To safeguard the trees to be retained.</p>
10.	<p>The existing soil levels around the base of the trees to be retained shall not be altered. Reason: To safeguard the trees to be retained.</p>
11.	<p>The south east boundary of the site adjacent to Bannister Lane and the boundary of plots 1 and 2 adjacent to the public footpath shall be planted with a hedge comprising a mix of all or some of the following: Hawthorn, Blackthorn, Wild Cherry, Field Maple, Dog Rose, Hazel; within 12 months of the commencement of the development or such other period as shall be agreed in writing by the Local Planning Authority, and any plants which are found to be dead, damaged or dying during the first five years shall be duly replaced and the hedge thereafter retained. Reason: In the interests of the amenity and the appearance of the locality.</p>
12.	<p>Prior to the commencement of any development, plans and particulars showing a scheme of foul sewers and surface water drains, shall be submitted to, and approved in writing by, the Local Planning Authority. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied. Reason: To ensure a satisfactory means of drainage.</p>
13.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
14.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
15.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p>

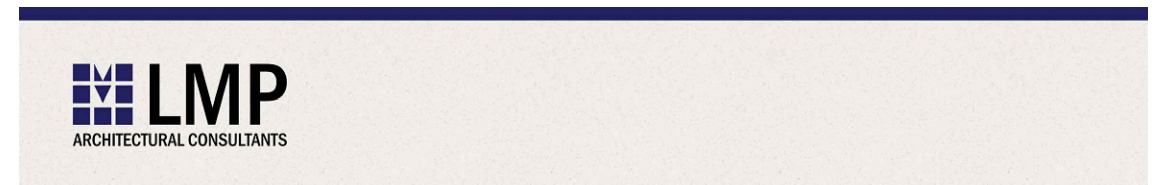
	Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.																					
16.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="0"> <thead> <tr> <th>Plan Ref.</th> <th>Received On:</th> <th>Title:</th> </tr> </thead> <tbody> <tr> <td>15/100/L01</td> <td>18 April 2016</td> <td>Location Plan</td> </tr> <tr> <td>15/100/P02</td> <td>18 April 2016</td> <td>House Type A</td> </tr> <tr> <td>15/100/P03</td> <td>18 April 2016</td> <td>House Type B</td> </tr> <tr> <td>15/100/P04</td> <td>18 April 2016</td> <td>Proposed Site Plan</td> </tr> <tr> <td>LMP_GS_09</td> <td>18 April 2016</td> <td>Single Garage</td> </tr> <tr> <td>LMP_GD_12</td> <td>18 April 2016</td> <td>Double Garage</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Plan Ref.	Received On:	Title:	15/100/L01	18 April 2016	Location Plan	15/100/P02	18 April 2016	House Type A	15/100/P03	18 April 2016	House Type B	15/100/P04	18 April 2016	Proposed Site Plan	LMP_GS_09	18 April 2016	Single Garage	LMP_GD_12	18 April 2016	Double Garage
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15/100/P04	18 April 2016	Proposed Site Plan																				
LMP_GS_09	18 April 2016	Single Garage																				
LMP_GD_12	18 April 2016	Double Garage																				
17.	<p>Facilities shall be provided for the cleaning of the wheels of vehicles leaving the site, before the development hereby permitted is first commenced and thereafter retained at all times during construction of the development.</p> <p>Reason: To prevent the tracking of mud and/or the deposit of loose material on to the highway, in the interests of highway safety.</p>																					
18.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</p>																					
19.	<p>No part of the development hereby permitted shall be occupied or used until a means of vehicular access has been constructed in accordance with the approved plans.</p> <p>Reason: In the interests of highway safety.</p>																					

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Scale: 1:1250

Revision Notes:



CLIENT
N. Andrews Homes Ltd

PROJECT NAME
Proposed residential development on land adjacent to

33 & 94 Larkfield, Eccleston, Chorley, PR7 5RN

DRAWING NAME
Location Plan

SCALE	DRAWN BY	DATE	DRAWING NUMBER	REVISION
1:1250 @ A3	ASL	21/12/15	15/100/L01	-

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Item 3h	16/00263/FUL
Case Officer	Iain Crossland
Ward	Clayton-le-Woods and Whittle-le-Woods Ward
Proposal	Change of use from public amenity space to residential garden curtilage
Location	66 Cedar Field Clayton-Le-Woods Chorley PR6 7RW
Applicant	Mrs Eilenne Finney
Consultation expiry:	05 May 2016
Decision due by:	26 May 2016

Recommendation

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

Executive Summary

The main issues to consider are the loss of open space and the impact on the character and appearance of the surrounding area. As assessed below the proposals are considered to be acceptable when assessed against the relevant criteria.

AssessmentThe Site

1. The application site comprises an area of amenity green space to the side of a 66 Cedar Field, Clayton le Woods. The site comprises a grassed lawn to the west side of the dwelling at 66 Cedar Field. It fronts the highway to the west and is bound by a hedgerow and public right of way to the south. The character of the area is predominantly residential, and consists of housing estates with dwellings of modern design. The area is interspersed by amenity green space and there is a linear park running north to south through the estate which is largely wooded and follows the watercourse of Carr Brook. The estate at Cedar Field is largely open plan.

The Proposal

2. The proposed development is for the change of use of an area of public amenity space to residential garden curtilage to the side of 66 Cedar Field. This would bring a triangular section of land within the domestic curtilage of 66 Cedar Field, measuring approximately 120 square metres in area.

AssessmentPrinciple of the Development

3. The National Planning Policy Framework (the Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
4. The application site is located in the core settlement area of Clayton le Woods. The Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
5. Policy HW2 of the Chorley Local Plan 2012 – 2026 states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. These are assessed below.
6. This approach is reflected and supported in the National Planning Policy Framework (The Framework).

Loss of Public Open Space

7. The proposal involves the loss of a small parcel of amenity open space, which falls to be considered as public open space under Policy HW2 of the Local Plan. Policy HW2 protects all existing open space, sport and recreational facilities and requires alternative provision to be made under criterion a) of the policy unless the proposal satisfies all of criteria b) to e). The proposal is assessed against these criteria below:
8. *b) It can be demonstrated that the loss of site would not lead to a deficit of provision in the local area in terms of quantity and accessibility;*
The Chorley Local Plan 2012 – 2026 Open Space Policies Evidence Base demonstrates that there is currently a surplus of amenity greenspace in Clayton Brook/Green. Therefore, the loss of this site would not lead to a deficit in provision in the local area in terms of quantity and accessibility.
9. *c) The site is not identified as being of high quality and/or high value in the Open Space Study;*
The site has not been identified or assessed as part of the Open Space Study and is not therefore classified as high quality and/or high value.
10. *d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area;*
The site is not accessed for recreation and its retention is not therefore required to satisfy a recreational need in the local area.

11. e) *The site does not make a significant contribution to the character of an area in terms of visual amenity;*

This site makes some contribution to visual amenity on the local area, however, it appears as part of the garden at 66 Cedar Field rather than as amenity land. The land however is still owned by the Council and has just been maintained by the owners of 66 Cedar Field, the owners now wish to regularise the situation, purchase the land from the Council and formally change the use into garden land.

As a result the change of use in itself would have little impact on visual amenity. In the context of the extensive amenity open space that surrounds the property it is considered that the application site in itself does not make a significant contribution to the character of the area in terms of visual amenity.

12. The proposal accords with criterion b) to e) of Policy HW2 and therefore satisfies the requirements of this policy allowing for the loss of the existing open space.

Design and impact on the character of the area

13. The application site comprises a triangular shaped area of land that has the appearance of a grassed lawn. The site is located immediately adjacent to 66 Cedar Field and appears as a natural continuation of the garden at this property. There is a clear break with the adjacent public footpath and amenity land to the south with a hedgerow and trees separating the two. Although the site does contribute to the open character of the estate, the change of use to garden curtilage itself would not alter this situation significantly. The land forms a logical extension to the existing curtilage, with a clear break to the adjacent land and its change of status to garden curtilage would not detract from the appearance or character of the area to a harmful extent.

14. The development is therefore considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 - 2026.

Overall Conclusion

15. The proposed development would not impact unacceptably on the overall appearance and character of the area. Although a small part of the amenity open space would be lost the impact is considered acceptable. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

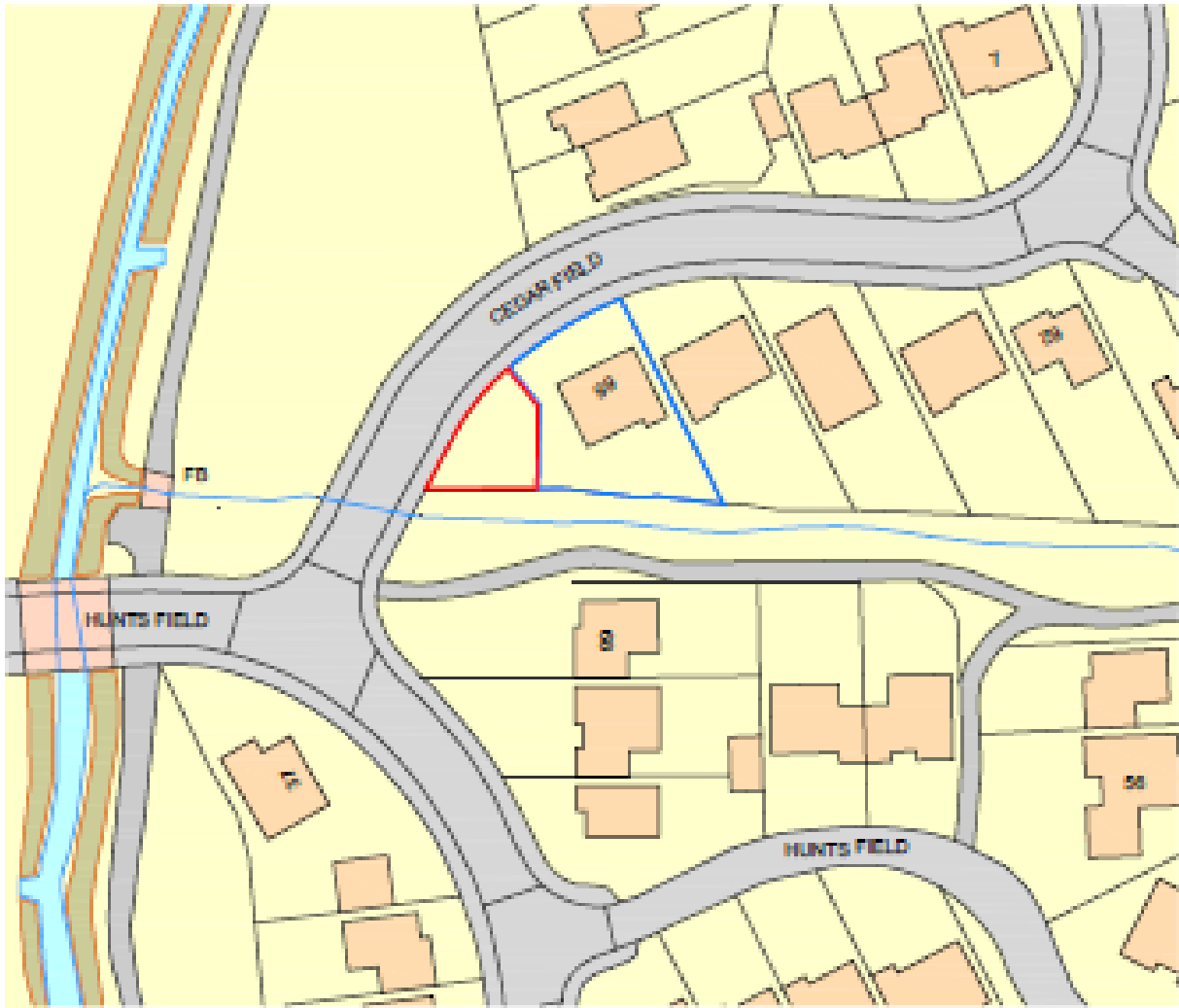
In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations 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 to consider.

Suggested Conditions

No.	Condition									
1.	The development shall be carried out in accordance with the following plans: <table data-bbox="316 315 1302 412"> <thead> <tr> <th data-bbox="316 315 762 347">Title</th> <th data-bbox="762 315 1002 347">Plan Ref.</th> <th data-bbox="1002 315 1302 347">Received On:</th> </tr> </thead> <tbody> <tr> <td data-bbox="316 347 762 378">Location Plan</td> <td data-bbox="762 347 1002 378">16003-01</td> <td data-bbox="1002 347 1302 378">18 March 2016</td> </tr> <tr> <td data-bbox="316 378 762 409">Site Plan</td> <td data-bbox="762 378 1002 409">16003-02</td> <td data-bbox="1002 378 1302 409">18 March 2016</td> </tr> </tbody> </table> Reason: To define the permission and in the interests of the proper development of the site.	Title	Plan Ref.	Received On:	Location Plan	16003-01	18 March 2016	Site Plan	16003-02	18 March 2016
Title	Plan Ref.	Received On:								
Location Plan	16003-01	18 March 2016								
Site Plan	16003-02	18 March 2016								



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Location Plan (scale - 1:1250)

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Item 3j	16/00357/CB3
Case Officer	Ian Heywood
Ward	Chorley South East
Proposal	Erection of single storey extension to west elevation, two storey extension to north east elevation, erection of boundary fence and wall, car park extension and installation of three lighting columns.
Location	Cotswold House, Cotswold Road, Chorley, PR7 3HW
Applicant	Chorley Council
Consultation expiry:	13.05.2016
Decision due by:	11.06.2016

Recommendation **Permit planning permission**

Executive Summary

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

Representations

In total nil representations have been received which are summarised below	
Objection	
Total No. received: nil	
•	
Support	
Total No. received: nil	

Consultees

Consultee	Summary of Comments received
Chorley Council Environmental Health Officer (Noise emissions)	No objections

Description of the site

1. Cotswold Supported Housing is Chorley Council's specialist accommodation scheme for homeless families and single people. It was transferred from Chorley Community Housing in 2009 and has since undergone a significant transformation in terms of both the quality of accommodation and also the services delivered. In total there are 25 flats.
2. The site was first built in the 1960s as flats for people of retirement age. It is set within quite expansive open areas of grass/lawn and a parking court in an area of residential development on the south eastern side of Chorley. The rear gardens of properties on both Pall Mall and Harrison Road, all of which being 19th Century terraced properties, face onto the western and northern elevations of Cotswold House, whilst semi-detached properties on Cotswold Road face the front (eastern) or are side on to the side (southern) elevations.
3. It is a mixture of single and two-storeys, with a single storey linking section at the centre, designed in a style that was typical for the period that utilises a mixture of brick and render with concrete tiled roofs. Boundary treatments to the rear and north are a mixture of brick walls, wire mesh fencing and trees/shrub planting.
4. Ground levels within the site are generally lower than the surrounding housing to the west and north, but on a par with those to the south and east. The current car park adjacent to the front elevation and main entrance accommodates eight cars and is currently unlit.
5. The current application is made in response to a successful grant application made by the Council in 2015 that will allow further modernisation and extension of the current accommodation following on from previous (internal) improvement works.
6. Whilst the application proposes extensions, that at the rear will be no closer to the adjacent properties and that at the side does not include any proposed windows facing the adjacent properties.

AssessmentPrinciple of the Development

7. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policy BNE1.
8. The Adopted Chorley Local Plan 2012 – 2026, policy BNE1 states, *Planning Permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development:*
 - a. *The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials;*
9. In this case the proposed extensions are small in scale, clearly subservient to the existing building and considered to be sympathetic in style. The proposed lighting is directionally focused and specifically designed to avoid any unwanted light spillage into the gardens of the surrounding residential properties.
10. The proposed extensions will not create additional accommodation units, but will instead provide for better circulation space, a storage area for prams and pushchairs and enhanced staff accommodation.
11. Overall the proposed development is considered to be acceptable and in conformity with the aforementioned policy.

Highway Safety and Parking

12. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policies BNE1 and ST4.
13. The proposed development will considerably expand the amount of parking available for residents. Currently this lack of provision results in a number of vehicles having to be parked on surrounding residential streets. The proposal is to create 28 parking spaces in total, which will more than meet the requirements of the aforementioned policy.

Impact on the amenity of neighbours

14. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policy BNE1(b) and (g).

15. Given the sympathetic approach taken to the design of the buildings and the lighting it is considered that the proposed development will have no material impact upon the amenity currently enjoyed by neighbouring residential properties. In fact the increase in parking provision will lead to a reduction in the requirement for on-street parking and a reduction in the associated congestion that this creates and could thus enhance the amenity of neighbours.

Overall Conclusion

16. The application is recommended for approval.

Planning Policies

17. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley 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

Ref: 5/1/02376 **Decision:** PERFPP **Decision Date:** 8
November 1965

Description: Erection of 24 old peoples flatlets in two storey blocks

Ref: 89/00787/FUL **Decision:** PERFPP **Decision Date:** 7
November 1989

Description: Alterations and conversion of sheltered accommodation to
accommodation for the homeless

Ref: 12/00725/FUL **Decision:** PERFPP **Decision Date:** 3
October 2012

Description: Demolition of existing corridor between reception and wardens flat and
construction of new reception area and ramp.

Ref: 13/00463/FUL **Decision:** PERFPP **Decision Date:** 10
July 2013

Description: Demolition of existing single storey link between two storey wing and
wardens house, construction of new flat roof extension to incorporate
new reception and staff room, new ramp to front entrance, garage door
to wardens house to be removed and replaced with rendered brickwork
and double entrance doors and construction of new pram shelter
adjacent to garage.

Proposed Conditions

No.	Condition																		
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																		
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="352 593 1364 891"> <thead> <tr> <th data-bbox="352 593 858 651">Title</th> <th data-bbox="858 593 1114 651">Drawing Reference</th> <th data-bbox="1114 593 1364 651">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 651 858 689">Site Plan Wall & Fence Detail</td> <td data-bbox="858 651 1114 689">A15-02/100</td> <td data-bbox="1114 651 1364 689">6 May 2016</td> </tr> <tr> <td data-bbox="352 689 858 728">Lighting Plan – Lux Levels</td> <td data-bbox="858 689 1114 728">A15-02/101</td> <td data-bbox="1114 689 1364 728">6 May 2016</td> </tr> <tr> <td data-bbox="352 728 858 786">Existing/Proposed Plans & Elevations – Rear</td> <td data-bbox="858 728 1114 786">A15-02/102</td> <td data-bbox="1114 728 1364 786">6 May 2016</td> </tr> <tr> <td data-bbox="352 786 858 846">Existing/Proposed Plans & Elevations - Side</td> <td data-bbox="858 786 1114 846">A15-02/103</td> <td data-bbox="1114 786 1364 846">6 May 2016</td> </tr> <tr> <td data-bbox="352 846 858 891">Lighting Details</td> <td data-bbox="858 846 1114 891"></td> <td data-bbox="1114 846 1364 891">4 May 2016</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	Site Plan Wall & Fence Detail	A15-02/100	6 May 2016	Lighting Plan – Lux Levels	A15-02/101	6 May 2016	Existing/Proposed Plans & Elevations – Rear	A15-02/102	6 May 2016	Existing/Proposed Plans & Elevations - Side	A15-02/103	6 May 2016	Lighting Details		4 May 2016
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Existing/Proposed Plans & Elevations - Side	A15-02/103	6 May 2016																	
Lighting Details		4 May 2016																	
3.	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>																		

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Item 3k	16/00261/FUL
Case Officer	Nicola Hopkins
Ward	Lostock
Proposal	Change of use of agricultural land to create an area of hardstanding for the storage of trailer components
Location	Barlow Trailers & Livestock, Denizes Farm, Southport Road
Applicant	Barlows Trailers
Consultation expiry:	27th April 2016
Decision due by:	17th May 2016 (time extension agreed until 27th May 2016)

Recommendation
Approve full planning permission

Representations

Ulnes Walton Parish Council has raised the following concerns:

- The gradual, creeping erosion of the Green Belt for industrial type purposes and the impact on surface water drainage in the local area.
- The Parish Council considers the proposal to be inappropriate development within the Green Belt and would request the purported Very Special Circumstances described are rigorously examined for validity.

Assessment

Proposed Development

1. The application relates to the creation of a concreted yard area, forming an extension to the existing premises, into what is currently agricultural land. The proposed use of this area is for storage of the trailers. The extension to yard area will measure approximately 59 metres in length (2 triangular pieces of hardstanding are proposed either end of the main area of hardstanding), east to west; it will project 20 metres northwards, from the existing limit of the yard area. A total of 1280 square metres of hardstanding is proposed.

Principle of the Development

2. 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.*

3. 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.
4. 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 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 will 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 trailer business on this site and as such represents further encroachment into 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).

5. 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 need to be demonstrated which outweigh the harm the development will have to the Green Belt.
6. During the site visit it was identified that a greater proportion of the site was being used for storage purposes that was granted consent in 2004 (04/00362/FUL). The extent of storage was specifically identified within the 2004 consent and was surrounded by areas of landscaping. These landscaped areas have been used for storage in breach of the condition attached to the 2004 consent. The agent for the application was advised of this breach and advised to regularise the situation on site as part of this application.
7. In response the agent has confirmed that on site at present storage is taking place outside of the storage area permitted under application 04/00362/FUL because of the increasing demands on the business. This area, outside of that approved in 2004, is an existing hardstanding area which belongs to the agricultural component of the site. The new hard-standing will be used for the trailer business and subsequently land returned to the agricultural use on the site.
8. One of the very special circumstances put forward in respect of this application is that the extra land is required to enable the business to store the trailers un-stacked which will in turn allow the trailers to be prepared for dispatch quicker. Historically it was always envisaged that products would need to be stacked, hence the following condition which was attached to the 2004 permission:
 7. No trailers, goods, materials or equipment stacked, stored or deposited on the site shall exceed a height above ground level of 3.0 metres.
 Reason: In the interests of the visual amenity of the area and in accordance with Policies EM5 and DC1 of the Adopted Chorley Borough Local Plan Review.

9. It is however appreciated that business practices change and it is clear on site that stacking the products does not create the most efficient way of ensuring speedy dispatch. In terms of stacking the trailers the agent for the application has confirmed the following: *Stacking the trailer components is unsafe and inefficient. The business has grown since 2004; at that time stacking trailer components was acceptable owing to the level of demand on the business to supply and the amount of storage space available to them.*

This practise is now impeding the productivity, the key impact being that the business has had to reduce its number of trading days. This is because they need extra staff to carry out the time consuming unstacking and manoeuvring that is related to the exacerbated storage area. The new storage area will ensure that the business does not need to stack the items and as such dispatch can be improved and trade increased.

10. A total of 1280m² of additional hardstanding is proposed for storage purposes and the agent for the application has set out the reasons why so much additional hardstanding is required as follows (based on the sales which have occurred this year):
- There is a 30% increase in orders across the two months. On average 30% of these sales are of used stock and 70% of sales are of new stock.
 - In January and February there were 110 items of new stock on the site. In March there was a total of 139 new stock items on site. Therefore there was a 23% increase in new stock on the site between February to March.
 - Based on current figures and the dimensions of these items, the average on site space requirement for new stock held on the site currently is 1176 square metres.
 - Used stock on site is shown as a fixed figure as monthly stock levels of used stock aren't produced by the business, although the stock levels given represent the on-site stock level at the time of the application. In March there was a total of 74 used items on site.
 - Based on the current figures and the dimensions of these items, the average on site space requirement for the used stock is 628 square metres. Used stock is currently held at the rear of the site with the new stock.
 - Vehicles and components for hire on site are part of the site's permanent fleet. At present these figures are fixed and do not demonstrate a demand or supply. What can be shown by these figures is how much space on site is needed to accommodate the entire hire fleet.
 - There are 70 vehicles and trailers in the hire fleet. Based on the current figures and the dimensions of these items, the average on site space requirement for stock in the hire fleet held on the site is approximately 552 square metres. The area of the site used for this is at the southern portion of the site.
 - Overall, at the time of the application, there are 213 new and used items in stock on site, resulting in a space requirement of 1804 square metres. The consented storage area available to the site at the rear is approximately 2100 square metres. However, this does not account for manoeuvring the trailer components or there being space between the trailers for manual checking and maintenance.
 - The turning circle required on site has been determined on the wheel base of largest item the business stocks, this item has a wheelbase of 7.27 m. This item can be for sale as new or used and has a turning circle with radius of 6.1 metres. The area at the rear of the site that is needed for manoeuvring and transporting the items is approximately 625 square metres.
 - Space for manual checking should account for 900 mm on the long two sides at least, therefore the whole the amount of space around the trailers on site for manual checking whilst in the storage area equates to approximately 383 square metres.
 - Therefore, taking into account the consented storage area at the rear, the amount of space needed for manual checks and the amount of space for access and manoeuvring, the space that can be used for trailer components is approximately 1010 square metres. Based on current stock levels and demand, the business has a storage capacity deficit of approximately 800 square metres.

- The proposed new hard-standing is 1280 square metres in size. The space needed for access and manoeuvring is approximately 200 metres. In the area of the proposal the access route does not take up as much space as it does across the remainder of the consented storage area. This gives an area to store trailers at 1000 square metres. It is on this basis that it is considered that the proposed hard-standing is justified on the basis of the needs of the business.

11. During the officer's site visit, the owner of the trailer business explained that one of the reasons why the application had been submitted was to enable a formal access route for vehicles to be set out within the site as the current situation is not formalised. This is supported by the submitted information which states that *The environmental conditions on the site will also in turn be improved, as it will create safer conditions for manoeuvring. It will negate the need to stack trailers and reduce the intensity of the existing storage provisions.* The agent for the application has provided an amended plan which sets out how access will be achieved along with manoeuvring space and turning circles which will assist in making the business more efficient.

Visual Impact

12. The proposal results in encroachment of hardstanding into the Green Belt and as such the visual impact of the development is a key consideration.

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

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

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

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

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

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

15. In this case the Judge concluded that:

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

16. As the development falls to be considered inappropriate development the landscape/ visual impact of the proposed development is a key material consideration in terms of the overall balance as to whether there is harm.

17. Whilst the creation of hardstanding may not, on its own, adversely impact on the openness of the Green Belt the use of the hardstanding has the potential to adversely impact on the visual amenities of this rural area. In the case of the proposed area of hardstanding this part of the site is viewed in the context of the existing business at the site, as shown from the photo below. As such it is not considered that the visual impact of the development within this part of the site will be adversely affected by the proposed area of hardstanding as it will be viewed in the context of the existing built development and storage at the site. The fact that trailers will not be stacked reduces the visual impact of storage in this location and additional hedgerows are proposed which will effectively screen the development from the nearby receptors.



Conclusion

18. The proposal represents inappropriate development in the Green Belt for which very special circumstances are required. One of the key principles of the Framework relates to promoting a strong rural economy by supporting the sustainable growth and expansion of all types of business and enterprise in rural areas. This is reflected within Policy 13 of the Adopted Core Strategy which seeks to support appropriate expansion of rural businesses.

19. The additional area of hardstanding will enable the business to expand to meet its current needs whilst enabling the more efficient operation of the business. This is considered to constitute very special circumstances sufficient to outweigh the harm the proposal will have on the Green Belt. The area of hardstanding proposed is the minimum required for the businesses needs and additional screening will assist in reducing the visual impact of additional storage on the site. Additionally the additional hardstanding will mean that the areas of the site which do not have consent for hardstanding can be returned back to the consent which was granted in 2004.

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
88/00173/FUL	Construction of bus shelter	Approved	14 June 1988
92/00242/COU	Change of use of agricultural buildings and yard to the manufacture display and retail sale and hire of trailers.	Approved	7 July 1992
93/00149/FUL	Erection of agricultural building	Approved	27 April 1993
93/00810/FUL	Erection of portal framed building for manufacture retail display and hire of trailers.	Approved	26 April 1994
95/00711/FUL	Erection of ground-floor flat with function room over	Withdrawn	
97/00359/FUL	Alterations to improve entrance and provision of new farm access.	Refused	6 August 1997
97/00360/FUL	Extension of livestock building & erection of attached agricultural storage building.	Approved	9 July 1998
97/00361/FUL	Erection of dwelling house.	Refused	6 August 1997
98/00194/TPO	Felling of oak tree (T1) covered by T.P.O. No 6 (Ulnes Walton) 1997.	Refused	14 July 1998
99/00624/ADV	Display of two advertisement hoardings	Withdrawn	
01/00190/FUL	Erection of agricultural buildings	Withdrawn	
01/00344/FUL	Erection of agricultural buildings	Approved	6 March 2002
02/00652/TPO	The felling of one oak tree T1 covered by Tree Preservation Order No.6 (Ulnes Walton) 1997.	Refused	29 August 2002
04/00362/FUL	Conversion of barn to customer facilities, change of use of agricultural buildings to use in connection with existing trailer business, erection of dog kennels, extension of domestic curtilage and change of use of agricultural land to external trailer store.	Approved	30 June 2004

07/00186/TPO	Felling of tree within Chorley BC TPO6 (Ulnes Walton) 1997.	Refused	3 December 2007
08/00319/FUL	Erection of 2 no. agricultural buildings	Withdrawn	
08/00723/FUL	Erection of 2no. agricultural buildings	Approved	4 August 2008
10/00779/AGR	Prior notification for the erection of a lean to extension.	Withdrawn	
10/00780/FUL	Full planning application for the erection of three sided agricultural building.	Approved	18 November 2010
10/01021/FUL	Erection of a lean to extension.	Approved	17 January 2011
11/00075/FUL	Erection of a single storey building for the storage of sales and hire equipment.	Withdrawn	
11/00271/FUL	Variation of Condition 13 pursuant to planning permission 04/00362/FUL to allow up to 1,800 sqm of space for the display of hire and sales equipment.	Refused	10 August 2011
11/00577/FUL	Proposed new building (between two existing buildings) to provide undercover storage area for sales and hire equipment.	Refused	2 September 2011
12/00282/FUL	Section 73 application to vary condition 1 of planning approval 08/00723/FUL to amend the position of the access through the site and the position of the landscaping.	Approved	11 May 2012
12/00283/FUL	Proposed new building (between two existing buildings) to provide undercover storage area for sales and hire equipment (resubmission of application 11/00577/FUL).	Approved	11 May 2012
13/00502/ADV	Retrospective application for advertising consent for 2 x fascia signs (the signs have already been erected) at either side of entrance on Southport Road.	Consent granted	1 August 2013
14/00816/TPO	Works to trees covered by TPO 6 (Ulnes Walton) 1997 - Removal of oak tree.	Consent granted	15 September 2014

Suggested Conditions

No.	Condition									
1.	<p>The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>									
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 533 1198 640"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>N/A</td> <td>17TH March 2016</td> </tr> <tr> <td>Site Plan</td> <td>LG/MB/3018</td> <td>12th May 2016</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Location Plan	N/A	17TH March 2016	Site Plan	LG/MB/3018	12th May 2016
Title	Drawing Reference	Received date								
Location Plan	N/A	17TH March 2016								
Site Plan	LG/MB/3018	12th May 2016								
3.	<p>No trailers, goods, materials or equipment stored on the area of hardstanding hereby approved shall be stacked. Reason: In the interests of the visual amenity of the area and based upon the supporting information which falls to be considered a very special circumstance in respect of this Green Belt location.</p>									
4.	<p>A scheme for the landscaping of the area of hardstanding hereby approved shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land and indicate the types and numbers of trees and shrubs to be planted, their distribution on site. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development, to provide screening to the approved area of hardstanding and secure a high quality design.</p>									
5.	<p>The area of hardstanding hereby approved shall be used for the storage of trailers, good and equipment associated with Barlows Trailers only; and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order). In particular the area of hardstanding hereby approved shall not be used as a retail sales area. Reason: To clarify the permission and based upon the information submitted in support of the application which constitutes very special circumstances within this Green Belt location.</p>									
6.	<p>Prior to the use of the area of hardstanding hereby approved the areas of the site, included within the blue edge on the site location plan, which do not have consent for activity, parking, display or storage associated with the trailer business (with the exception of Denizes Farmhouse, Garden and Orchard) shall be landscaped in</p>									

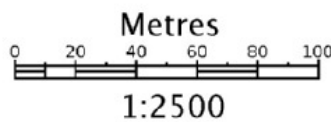
	<p>accordance with planning approval 04/00362/FUL. Reason: Based upon the supporting information which constitutes very special circumstances in support of the development hereby approved within the Green Belt location.</p>
7.	<p>Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from the area of hardstanding hereby approved shall be passed through trapped gullies with an overall capacity compatible with the site being drained. Reason: To prevent pollution of the water environment and to ensure suitable drainage of the area of hardstanding.</p>



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**DENIZES FARM
SOUTHPORT ROAD
LEYLAND
PR26 8LP**

Supplied by: Stanfords
Reference: OI186982
Centre coordinates: 351200 418829

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