

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 21ST JUNE 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 MINUTES OF MEETING TUESDAY, 24 MAY 2016 OF DEVELOPMENT CONTROL COMMITTEE**

(Pages 3 - 6)

- 2 DECLARATIONS OF ANY INTERESTS**

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

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

- 3 PLANNING APPLICATIONS TO BE DETERMINED**

The Director (Customer and Digital) has submitted ten 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 7 - 24)

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

(Pages 25 - 40)

- C 16/00152/FUL - TOWN LANE FARM, TOWN LANE, WHITTLE-LE-WOODS**

(Pages 41 - 56)

- D 16/00116/OUTMAJ - BONNY GREENHALGH AND CO. INDUSTRIAL PREMISES, BACK ASHBY STREET, CHORLEY**

(Pages 57 - 74)

E	16/00298/FULMAJ - LONG STAY CAR PARK, FLEET STREET, CHORLEY	(Pages 75 - 90)
F	16/00102/FUL - LAND OPPOSITE 71 CHURCH LANE, CHARNOCK RICHARD (TO FOLLOW)	
G	15/01203/FUL - CULBECK FARM, CULBECK LANE, EUXTON, CHORLEY, PR7 6EP	(Pages 91 - 98)
H	16/00336/FUL - GARAGES 30M NORTH OF 1 SHELLEY CLOSE, COPPULL	(Pages 99 - 108)
I	16/00290/FULHH - 125 THE FARTHINGS, ASTLEY VILLAGE, CHORLEY, PR7 1SH (TO FOLLOW)	
J	16/00397/S106A - GROUP 1, EUXTON LANE, EUXTON (TO FOLLOW)	

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

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

Electronic agendas sent to Development Control Committee reserves for information.

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

To view the procedure for public questions/ speaking click here

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

**MINUTES OF DEVELOPMENT CONTROL COMMITTEE****MEETING DATE Tuesday, 24 May 2016****MEMBERS PRESENT:** Councillor June Molyneaux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Charlie Bromilow, Henry Counce, John Dalton, Danny Gee, Tom Gray, Keith Iddon, Alistair Morwood, Mick Muncaster, Richard Toon, Paul Walmsley and Alan Whittaker**OFFICERS:** Asim Khan (Director (Customer and Digital)), Paul Whittingham (Planning Services Manager), Nicola Hopkins (Principal Planning Officer), Caron Taylor (Senior Planning Officer), Alex Jackson (Legal Services Team Leader) and Nina Neisser (Democratic and Member Services Officer)**16.DC.193 Minutes**

- a **Minutes of meeting Tuesday, 26 April 2016 of Development Control Committee**

RESOLVED – That the minutes of the Development Control Committee held on 26 April 2016 be approved as a correct record for signature by the Chair.

- b **Minutes of meeting Wednesday, 4 May 2016 of Development Control Committee**

RESOLVED – That the minutes of the Development Control Committee held on 4 May 2016 be approved as a correct record for signature by the Chair.

16.DC.194 Declarations of Any Interests

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

16.DC.195 Planning applications to be determined

The Director of Customer and Digital submitted eleven 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 15/00953/FULMAJ - 127A Station Road, Croston, Lancashire, PR26 9RP

Registered speaker: Mrs Fletcher (objector).

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

b 15/01040/OUT - 127A Station Road, Croston, Lancashire, PR26 9RP

Registered speaker: Mrs Fletcher (objector).

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

c 16/00152/FUL - Town Lane Farm Town Lane Heskin Chorley PR7 5QA

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

d 16/00236/OUTMAJ Hospital Car Park, Preston Road, Chorley

RESOLVED (12:1:2) – That outline planning permission be approved, subject to conditions and the associated S106 Agreement.

e 16/00116/OUTMAJ - Bonny Greenhalgh And Co. Industrial Premises, Back Ashby Street, Chorley

Motions to approve and to defer the decision pending receipt of more information were proposed and seconded but Chair went straight to a vote on the site visit as suggested by the Planning Services Manager.

RESOLVED (10:3:2) – That the decision be deferred to allow members of the Development Control Committee the opportunity to visit the site of the proposals.

f 16/00258/OUT - Brinscall Plumbing And Building Supplies, 17 Hartington Road, Brinscall

RESOLVED (12:1:2) – That outline planning permission be approved, subject to conditions as detailed in the report and the addendum and a s.106 legal agreement to secure affordable housing only.

g 16/00359/FUL - Land 35M West Of 19 Bannister Lane, Eccleston

RESOLVED (9:3:3) – That full planning permission be approved, subject to conditions and the associated legal agreement as detailed in the report and addendum.

h 16/00263/FUL - 66 Cedar Field, Clayton-Le-Woods, Chorley, PR6 7RW

RESOLVED (unanimously) – That full planning permission be approved, subject to conditions.

i 16/00277/FUL Green Farm, Wood Lane, Heskin, Chorley, PR7 5NP

RESOLVED (14:0:1) – That full planning permission be approved, subject to conditions.

j 16/00357/CB3 - Cotswold House, Cotswold Road, Chorley, PR7 3HW

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

k 16/00261/FUL - Barlow Trailers & Livestock, Denizes Farm, Southport Road

RESOLVED (unanimously) – That full planning permission be approved, subject to conditions.

16.DC.196 Appeals and other decisions

This item was withdrawn due to a technical issue.

16.DC.197 Any urgent business previously agreed with the Chair

Councillor Walmsley advised the Committee that Nicola Hopkins (Principal Planning Officer), who was present at the meeting, would be leaving the Authority.

The Chair and the Committee thanked Nicola for her professional approach and dedicated service and extended best wishes for the future.

Chair

Date

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.

UPDATE

At the Committee meeting of 24 May 2016 Members deferred determination of this application until after a site visit had been made. This site visit was timetabled for Monday 13 June at 16:30.

Please note that the addendum report for the Committee Meeting of 24 May 2016 included additional conditions not included with the original committee report.

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.
<p>In total 10 representations have been received which are summarised below</p>
<p>Objection</p> <p>Total No. received: 9</p> <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.
<p>Support</p> <p>Total No. received: 1</p>

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

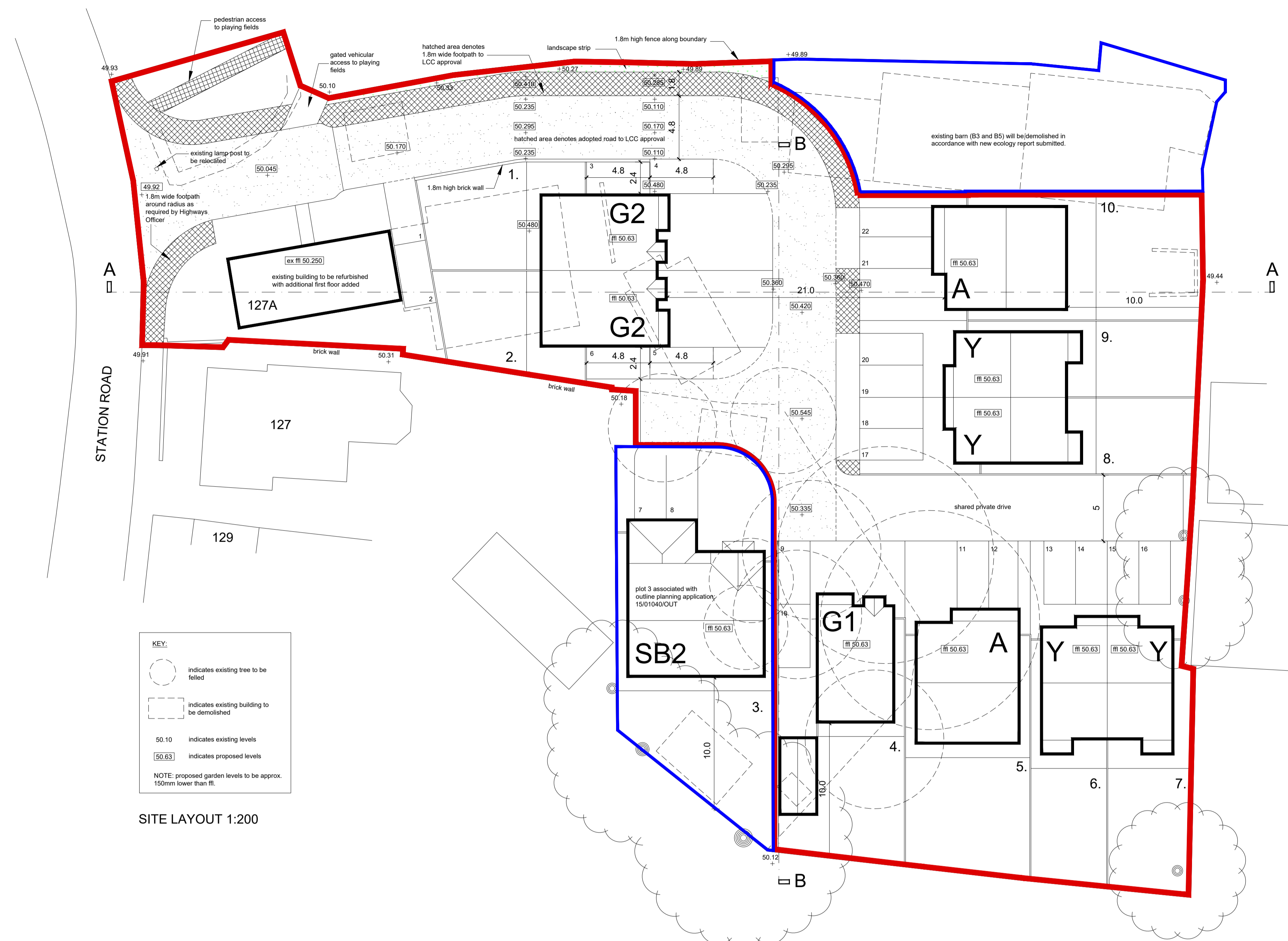
No.	Condition																					
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																					
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 562 1262 969"> <thead> <tr> <th data-bbox="320 562 791 622">Title</th> <th data-bbox="791 562 1031 622">Drawing Reference</th> <th data-bbox="1031 562 1262 622">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 622 791 683">Location Plan</td> <td data-bbox="791 622 1031 683">15/048/L02 Rev A</td> <td data-bbox="1031 622 1262 683">15.04.2016</td> </tr> <tr> <td data-bbox="320 683 791 743">Site Plan</td> <td data-bbox="791 683 1031 743">15/048/P01 Rev G</td> <td data-bbox="1031 683 1262 743">25.04.2016</td> </tr> <tr> <td data-bbox="320 743 791 804">Proposed Floor Plans & Elevations</td> <td data-bbox="791 743 1031 804">15/048/P02 Rev C</td> <td data-bbox="1031 743 1262 804">25.04.2016</td> </tr> <tr> <td data-bbox="320 804 791 864">Proposed Floor Plans & Elevations</td> <td data-bbox="791 804 1031 864">15/048/P03 Rev B</td> <td data-bbox="1031 804 1262 864">30.03.2016</td> </tr> <tr> <td data-bbox="320 864 791 925">Proposed Refurbishment of Existing Bungalow</td> <td data-bbox="791 864 1031 925">15/048/P04</td> <td data-bbox="1031 864 1262 925">21.09.2015</td> </tr> <tr> <td data-bbox="320 925 791 969">Tree Protection Plan</td> <td data-bbox="791 925 1031 969">5145.02</td> <td data-bbox="1031 925 1262 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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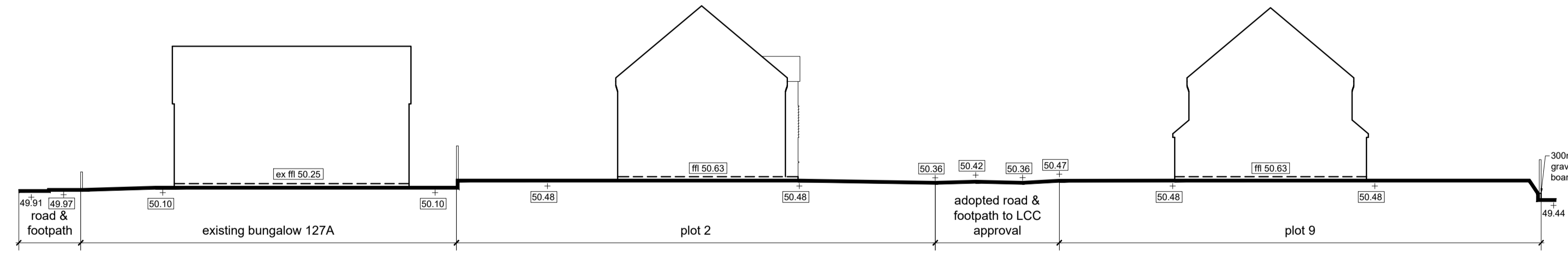


KEY:

- 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 fl.

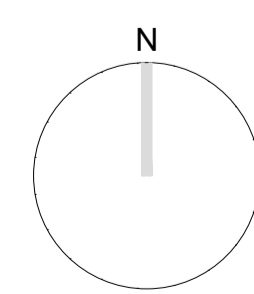
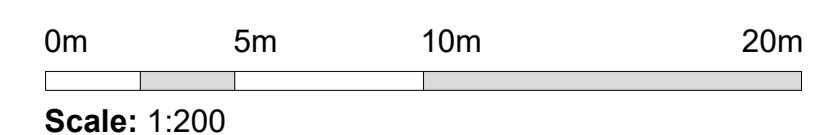
SITE LAYOUT 1:200



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

213 Preston Road, Whittle-le-Woods, Chorley, Lancashire, PR6 7PS
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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.

UPDATE

At the Committee meeting of 24 May 2016 Members deferred determination of this application until after a site visit had been made. This site visit was timetabled for Monday 13 June at 16:30.

Please note that the addendum report for the Committee Meeting of 24 May 2016 included additional conditions not included with the original committee report.

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.’
In total 1 representation has been received which is summarised below
Objection
Total No. received: 1
<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:*
- 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.*
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

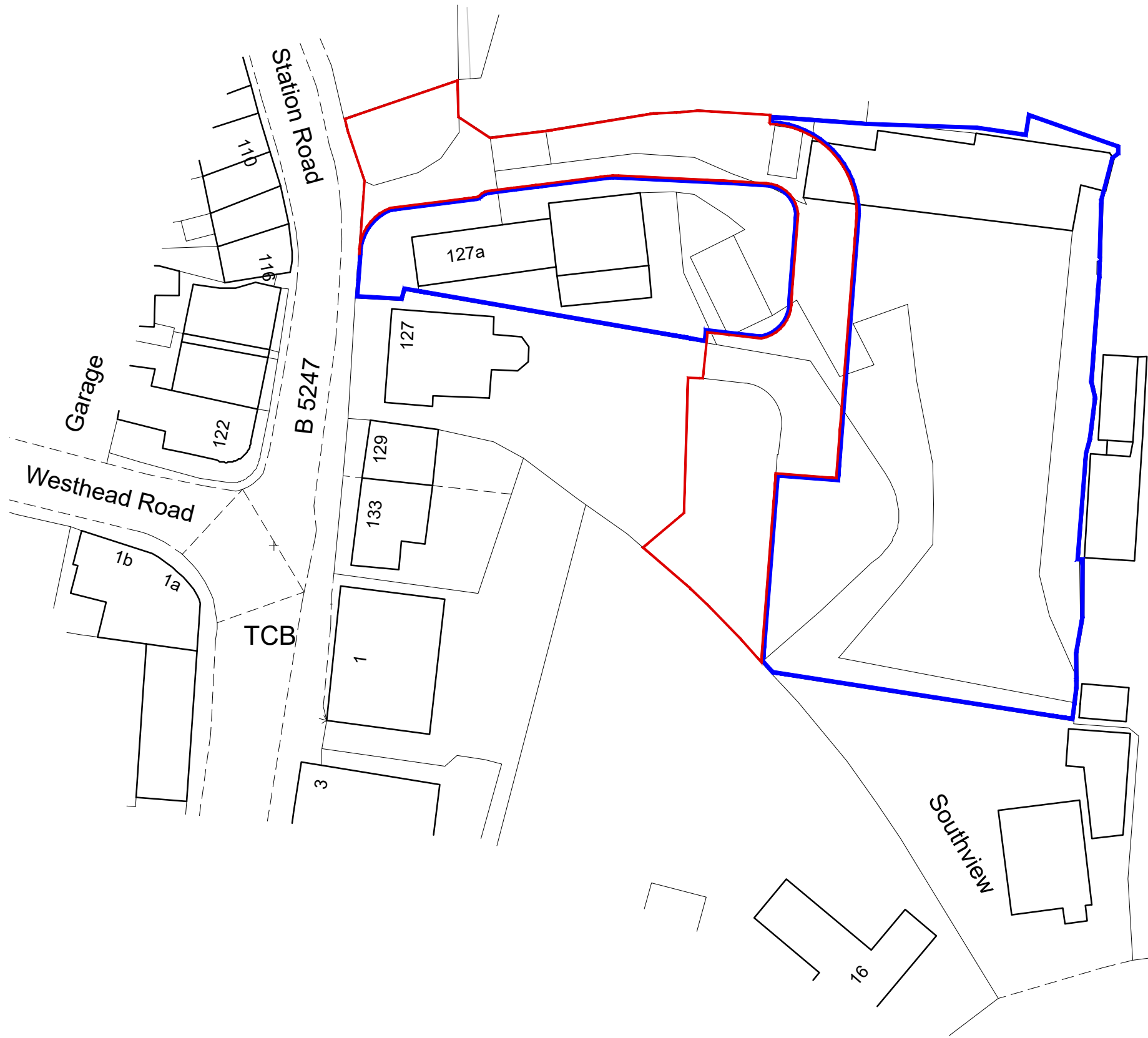
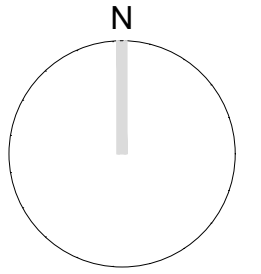
No.	Condition									
1.	<p>An application for approval of the reserved matters, namely the design, layout, access, scale, landscaping and siting of the proposed dwelling must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted 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="352 922 1323 1016"> <thead> <tr> <th data-bbox="352 922 823 952">Title</th> <th data-bbox="823 922 1086 952">Drawing</th> <th data-bbox="1086 922 1323 952">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 952 823 981">Location Plan</td> <td data-bbox="823 952 1086 981">15/048/L01 Rev A</td> <td data-bbox="1086 952 1323 981">15.04.2016</td> </tr> <tr> <td data-bbox="352 981 823 1016">Tree Protection Plan</td> <td data-bbox="823 981 1086 1016">5145.02</td> <td data-bbox="1086 981 1323 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>

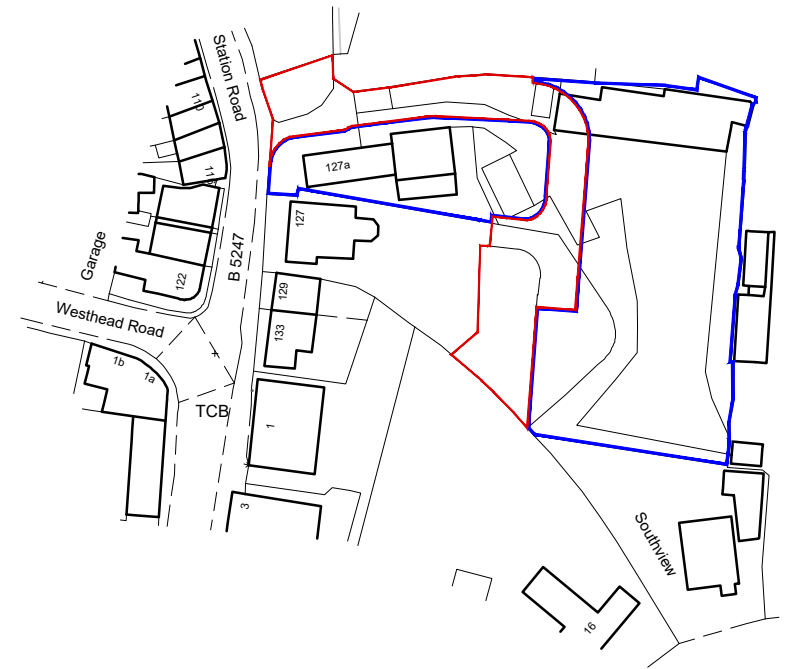
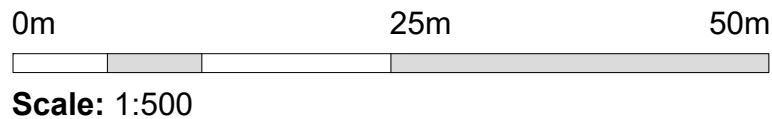
<p>10.</p>	<p>Due to the proposed sensitive end-use (residential housing & gardens), and the existing & former uses of the site as a depot/store, the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report 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>

<p>15.</p>	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal 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>
<p>16.</p>	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted 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>
<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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Site Layout 1:500



Location Plan



1:1250

Scale: 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

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Item 3c	16/00152/FUL
Case Officer	Helen Lowe
Ward	Chisnall
Proposal	Re-positioning of dwelling approved under application 14/00982/FUL and lawful barn under lawful development certificate 15/00340/CLEUD and 3 bay stable block.
Location	Town Lane Farm, Town Lane, Whittle le Woods
Applicant	Mr Howard Rose
Consultation expiry:	14th April 2016
Decision due by:	20th April 2016
Recommendation	Members are advised that an appeal against non-determination of the application has been submitted and as such it is no longer open for Members to determine the application. However, it is recommended that Member's indicate that they are minded to approve the application.
Executive Summary	The application seeks to relocate, within the site, a number of buildings that presently have extant planning consent. The application site is within the Green Belt. Taking into consideration the extant consent and the provisions of the Framework it is considered that the proposals would not be inappropriate and would not have an unduly harmful impact on the openness of the Green Belt.

Representations

Heskin Parish Council Since 2008 there have been no fewer than 13 applications for schemes on this site. Some have been withdrawn, some have been re submitted. It's almost as if the applicant is unsure of what exactly he wants or is perhaps seeking to confuse.

The Parish Council note that this application is to reposition a dwelling and a barn and a stable block. The Council understood that the dwelling was to replace a redundant existing barn and wonder why indeed there is a need for a new barn. A similar query could be made for a stable block.

It is also noted that this application is being made whilst an appeal against the refusal of two dwellings is still pending. Does this mean that the appeal has been withdrawn or is it a case of "lets see what we can get away with and make more money"

The Parish Council are concerned that if this application is approved , in the not too distant future there will be other applications to build a) a second house in place of the new barn and b) a third house in place of the new stable block ,especially in view of the Councils (in the Parish Councils view "unwise") recent decision regarding Horsemans Farm Stables

If you are mindful to approve this application the Parish Council would like assurances that it will go to Committee for a decision , that (a) and (b) above will not be allowed to happen ,that facing materials and foul disposal matters would be the subject of your approval in writing (and the Parish Council would like to be consulted before you approve them)

One dwelling is approved already, in the Green Belt. This application should not be allowed to lead to 3 dwellings

Further comments have been received from the Parish Council stating that they do not wish to see more than one dwelling on the site and request that the decision on the application is postponed until the results of the appeal decision is known.

Cllr Whittaker There is still a great deal of confusion and concern about what is actually being sought here. The new application whilst the appeal is being heard is deliberately obfuscating the situation. Dwellings are being repositioned, stables are being repositioned, barns are being relocated, all it seems to me to get more development in the Green Belt were none is justified.

Request that the application be determined at Development Control Committee

In total three representations have been received which are summarised below

Objection

- There have been numerous amended applications, with a view to increasing the number of buildings on the site for both residential and equine use;

- The Council should consider carefully how much this will impact upon Green Belt and set a precedent for even more such development and erosion of the countryside;
- It is Green Belt land
- The re-positioning of the dwelling to a more prominent position reduces the openness of the Green Belt land from adjacent Town Lane and Millennium Park as it will be directly visible from both;
- The lawful barn has never been constructed and at the moment there is no stable block other than the existing barn. They are concerned the all the buildings together may exceed the current footprint of the existing barn, which is being demolished;
- Although some of these buildings may have been given approval historically as individual buildings, they now need assessing as a group. As a group they will greatly affect the openness of the Green Belt;
- The three large buildings are being individually spread out over the site resulting in a greater impact to the rural aspect and openness;
- The barn and its location could in the future be subject to further development /conversion to yet another dwelling;
- The number of planning applications on the site stands at thirteen over recent years. The site remains unchanged during this period with no obvious sign of any new construction. They believe this is being done on purpose to cause confusion and cloud the site redevelopment for maximum profit, with little regard for the rural openness and maintaining the Green Belt.
- It is development of Green Belt land, repositioning of the dwelling reduces the openness;
- Overlooking and loss of privacy
- They provided permitted access for the existing barn, however now that the application to construct a single dwelling to replace the barn has been approved with its new separate access from Town Lane we insist the access is withdrawn and should be amended on the plans. This will give sole control over their gated access;

Consultees

Consultee	Summary of Comments received
Greater Manchester Ecology Unit	There are no known ecological reasons why the buildings cannot be re-sited.
LCC Highways	Have stated that they have no objections to the proposals.

AssessmentBackground

Members will recall that this application was deferred from the previous committee meeting for a site visit to take place. A list of suggested conditions will follow on the addendum.

1. The application site consists of a yard that comprises livery stables, with a number of storage, shipping containers, a sand paddock and a large area of hardstanding. There is presently an access track that provides vehicular access to Town Lane which runs across land not owned by the applicant.
2. The current application proposes the re-siting of a number of buildings that all have an extant planning consent. These comprise:
 - A barn, granted approval under application 09/00065/FUL. A certificate of lawfulness was granted in 2015 (ref. 15/00340/CLEUD) to confirm that a lawful start on the development has taken place. The permission therefore remains extant and work could re-commence at any time;
 - A cottage and stables, both granted approval under application 14/00982/FUL. The principal of the development was considered to be acceptable as it constitutes the redevelopment of a previously developed site within the Green Belt that would not have a greater impact on the openness of the Green Belt than the existing site. The volume of the buildings to be demolished is approximately the same as the proposed buildings. The existing building to be demolished is a livery stables. At the time of the site visit the use of this building appeared to have ceased and the roof had been removed.
3. The applicant has provided the following comments in response to the third party comments received:
 - It is the right of anyone to submit an application as and when they see fit, and only the LPA have the right to turn any such application away subject to a strict set of criteria, none of which apply in this instance. The question for the LPA is one of 'harm' as in what is the harm that is caused by this proposal? If there is no harm then as the NPPF makes clear, sustainable development should be approved without delay.
 - Whatever route the applicant takes next will probably last for the next hundred years. Whilst they have the opportunity they have tried to make the best layout for the whole site.
 - From the road the most prominent buildings would be the stables and the agricultural barn. We felt it would be a lot better if the house was there. People visiting the house would not have to go via the stables, barn, and yard to get to it. In addition it would be far more secure from animals escaping.
 - By putting the house in the proposed position it would be South West facing as opposed to west facing which would be better for solar panels.
 - The proposed position of the house is further away from the neighbours, It doesn't look overlook anybody else's land or property, as requested. Given that the objector raised the proximity issue with the first application it is illogical for him to object now on relocation further from his property.
 - The proposed position of the barn screens our yard from the neighbours as requested with the original application.
 - Both the stables and the barn are closer to the fields. This is obviously far more desirable and efficient, for the movement of animals and farm machinery, and creates a more logical use of land.
 - The yard is more contained and separated from the house.
 - The yard will be totally screened from the road which has lots of benefits both aesthetically and for security.
 - With reference to the objection letters received, most of the points have already been dealt with in previous applications. The fact that the applicant has submitted 13 planning applications over the years is because they are exploring all their options for the site, which as stated above is their right. In reality the same person keeps complaining about everything that they do, and in most cases contradicting themselves.

Principle of the development

4. The application site is located within the Green Belt, where development is strictly controlled. The Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances. The fact that an extant consent exists for all the buildings proposed is considered to be a material consideration to which significant weight should be attached.
5. At present the approved plans locate the proposed stables within the south east corner of an existing sand paddock which bounds Town Lane. The barn is located just to the south of these stables (although a lawful start has been made, there is little visible above ground work, the commencement consisted primarily of the excavation for steel stanchions, steel reinforcement placement for steel stanchions and pouring of concrete basis for steel stanchions). The approved proposed cottage would be located just to the west of the livery stable to be demolished. It is understood that the dwelling was not located directly on the footprint of the building to be demolished in order to protect the amenities of the occupants of Walmsley's Barn to the east.
6. The current proposals would re-locate the proposed cottage within the sand paddock (which would then become the residential curtilage), the barn approximately on the footprint of the livery stables that are to be demolished and the stables to the south west corner of the application site.
7. Members will note that an appeal has been lodged in respect of the refusal for two dwellings at the site (ref: 15/01133/FUL). The position of the dwelling proposed as part of this application is the same as one of the dwellings which is currently subject to the appeal with the other dwelling subject to the appeal located in the same location as approved dwelling on this site (Ref:14/00982/FUL).
8. In addition to the fact that consent exists for both the stables and barn elsewhere within the application site, it is considered that both buildings would not constitute inappropriate development within the Green Belt under the Framework. The stables are small scale and to be constructed from timber, in accordance with the Council's guidance in the Rural Development SPD and the barn is for agricultural purposes (storage of equipment). As neither of these elements of the proposal constitute inappropriate development within the Green Belt these two elements are considered to be acceptable in principle.
9. In respect of the new dwelling proposed as part of this application the construction of the new dwellings constitutes inappropriate development unless one of the exceptions in the Framework is engaged. To benefit from the relevant exception in the case of this site, the applicant must demonstrate that the construction of the new buildings constitute:
 - The partial or complete redevelopment of previously developed land;
 - Which would not have a greater impact on the "openness" of the Green Belt; and
 - Which would not have a greater impact on the purposes of including land in the Green Belt.
10. Whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of 'openness'.
11. It is considered that in respect of the Framework the existing site has an impact on the openness of the Green Belt. However it is important to note that merely the presence of an existing building on the application site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
12. The definition of previously developed land is set out in the Framework as land which is or was occupied by a permanent structure, including the curtilage of the developed land. Land that is or has been occupied by agricultural or forestry buildings is excluded from the definition and it is also emphasised that it should not be assumed that the whole of the curtilage should be developed.
13. Whether the proposed dwellings will have a greater impact on openness is a subjective judgment which is considered further below. Objective criteria could include the volume of the existing

buildings, the footprint of the existing building and the height of the existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exceptions of paragraph 89 of the Framework, which is reflected in policy BNE5 of the Local Plan, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the application site.

14. The principle of a dwelling on the application site has been established by the previous grant of planning permission. The new dwellinghouse will be higher than the existing buildings on site however the width of the dwelling compared to the existing building will be smaller and the proposed dwelling will not have a greater volume than the existing building on site. Whilst the revised proposal would result in the dwelling being located further away from the footprint of the livery stables that are to be demolished when compared to the approved scheme, the revised location takes the dwelling closer to Town Lane with the associated residential curtilage occupying an area of land which has already seen some alterations (the sand paddock). This location does not result in the incursion of further built development into the open Green Belt land to the south and ensures that the built form on the site is retained within the existing established curtilage. Taking these factors into consideration, it is not considered that the proposed development will have a greater impact on the "openness" of the Green Belt or have a greater impact on the purposes of including land in the Green Belt.
15. It has been noted that, if the current application were to be approved, it would be possible to implement both application 14/00982/FUL and the current application in part, potentially resulting in two dwellings being erected on the site. This can be overcome by attaching a legal agreement to the decision, whereby the applicant agrees not to implement both permissions. The applicant has indicated that they are willing to sign up to such an agreement and any positive recommendation would be subject to this legal agreement.

Neighbour Amenity

16. The nearest residential property is Walmsley's Barn, located to the south east of the application site. The proposed revised siting would result in the proposed cottage being located further from this property. The south east facing elevation of the proposed dwelling would be approximately 40m from the front elevation (north facing) of Walmsleys Barn.
17. The proposed stables would be located approximately 34m from Walmsley's Barn. This is in accordance with the guidance set out in the Council's Rural Development SPD.
18. The proposed access from Town Lane is to be located within the same position as previously approved under application 14/00982/FUL. With regard to the access over neighbouring land this is a private matter between the neighbour and the applicant.

Section 106

19. There is a requirement for a financial contribution towards equipped play space, casual/informal play space and playing fields for all new housing planning permissions in the Borough irrespective of size. This is set out in policies HS4A and HS4B of the Local Plan.
20. In September 2013 the Council adopted The Open Space and Playing Pitch Supplementary Planning Document. The Council's requests for financial contributions towards the provision and improvement of public open space within the Borough are therefore now based upon the standards within Local Plan Policies HS4A and HS4B and the approach in the SPD. The Council has also produced an Open Space Study and Playing Pitch Strategy which provides detailed information on local needs, deficits and surpluses, therefore such requests for contributions are based on a robust and up to date assessment on the level of need and existing provision in the local area.
21. An open space commuted sum was paid in lieu of a section 106 agreement for planning permission 14/00982/FUL. Confirmation from the planning policy section that no further contribution is required is awaited and will be reported on the addendum.

CIL

22. 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.

Sustainable Resources

23. 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.”

24. 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.

Overall Conclusion

25. It is not considered that the proposed changes to the layout of the site would cause a significant degree of harm to the openness and character of the Green Belt, in comparison with the layout as previously approved.
26. Members are advised that an appeal against non-determination of the application has been submitted and as such it is no longer open for Members to determine the application. However, it is recommended that Member's indicate that they are minded to approve the application.

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

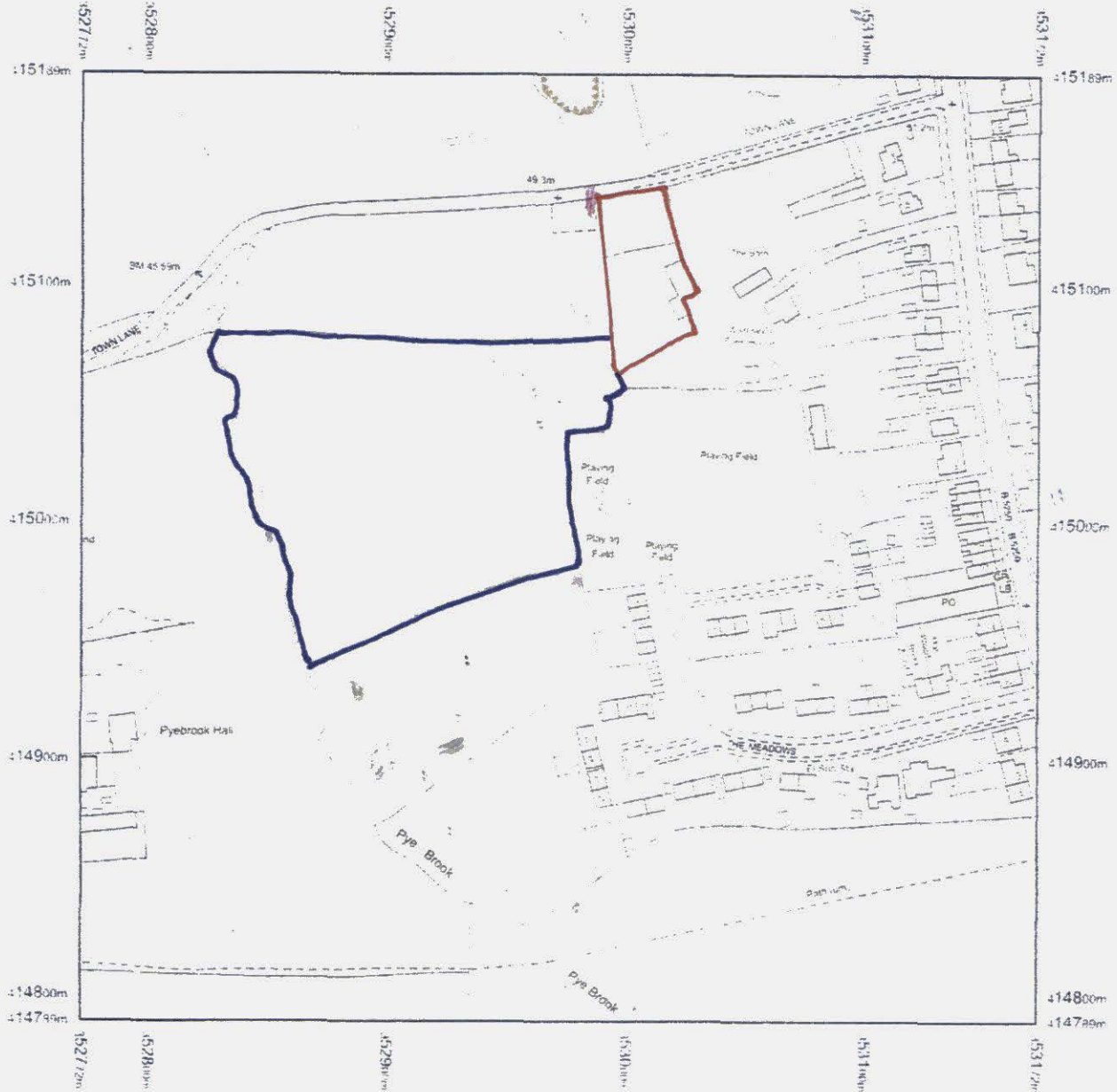
Reference	Description	Decision	Date
16/00084/DIS	Application to discharge conditions 3 (drainage details), 9 (House Sparrow mitigation), 11 (Barn Owl survey), 13 and 16 (external facing materials), 17 (hard landscaping details), 18 (levels), 19 (landscaping details), 20 (Dwelling Emission Rate details) and 22 (scheme for	Conditions discharged	3 March 2016

	the containment and storage of manure) attached to planning approval 14/00982/FUL		
15/01133/FUL	Demolition of existing stables and storage buildings and erection of two dwellings (resubmission of application 14/00982/FUL)	Refused Awaiting appeal decision	20 January 2016
15/00340/CLEUD	That a meaningful start has been made to planning permission reference number 09/00065/FUL for the erection of an agricultural storage building (amended re-submission of application number 08/01208/FUL) by the setting out and excavation of foundations and the laying of steel stanchion bases.	Certificate granted	11 June 2015
14/00982/FUL	Demolition of existing stables and erection of detached dwelling, formation of new access and erection of stable block	Approved	8 September 2015
12/01105/FUL	Application to remove condition no. 6 (which prohibited the business,trade and livery use of the building) of planning permission no. 11/00713/FUL (which permitted the erection of a replacement stable building following demolition of existing stable building) to enable the building to be used as a livery stables	Approved	16 January 2013
12/00274/DIS	Discharge of condition no. 2 (colour, form, texture of external materials including painting) of planning permission no.09/00065/FUL	Conditions discharged	3 April 2012
11/01101/CLEUD	Application for a Certificate of Lawfulness for use of existing building as livery stables	Certificate Granted	29 May 2012
11/00713/FUL	Erection of replacement stable building following demolition of existing stable building (Re-submission of application no. 11/00069/FUL)	Approved	5 October 2011
11/00069/FUL	Proposed demolition of existing stables to be replaced by new stables.	Withdrawn	1 April 2011
09/00065/FUL	Erection of an agricultural storage building (amended re-submission of application no. 08/01208/FUL)	Approved	30 March 2009
08/01208/FUL	Erection of a 3 bay agricultural building	Withdrawn	26 January 2009
08/00824/AGR	Erection of agricultural building for storage of hay and machinery,	Withdrawn	31 July 2008

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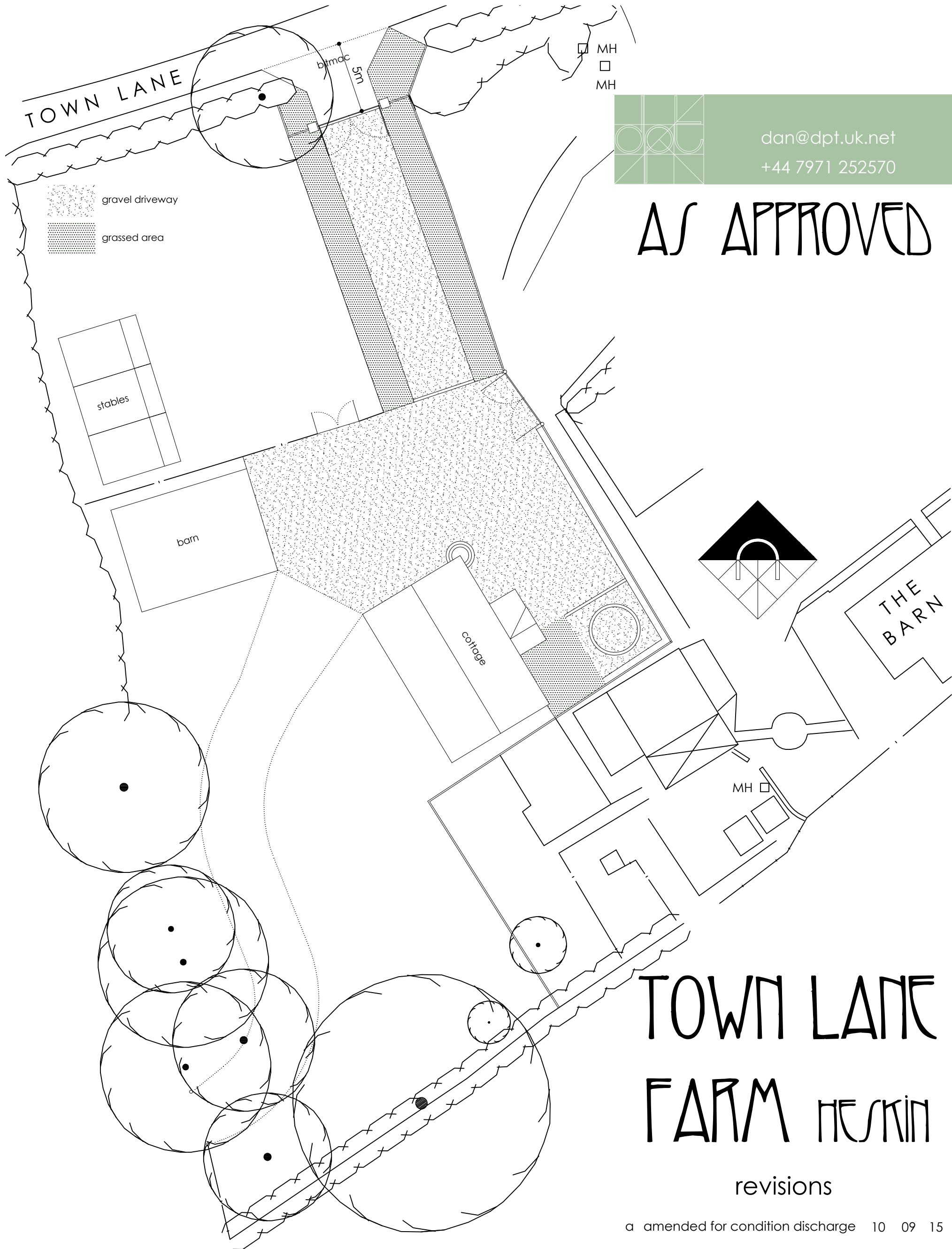


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CHORLEY COUNCIL
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AS APPROVED

TOWN LANE
FARM HESKIN

revisions

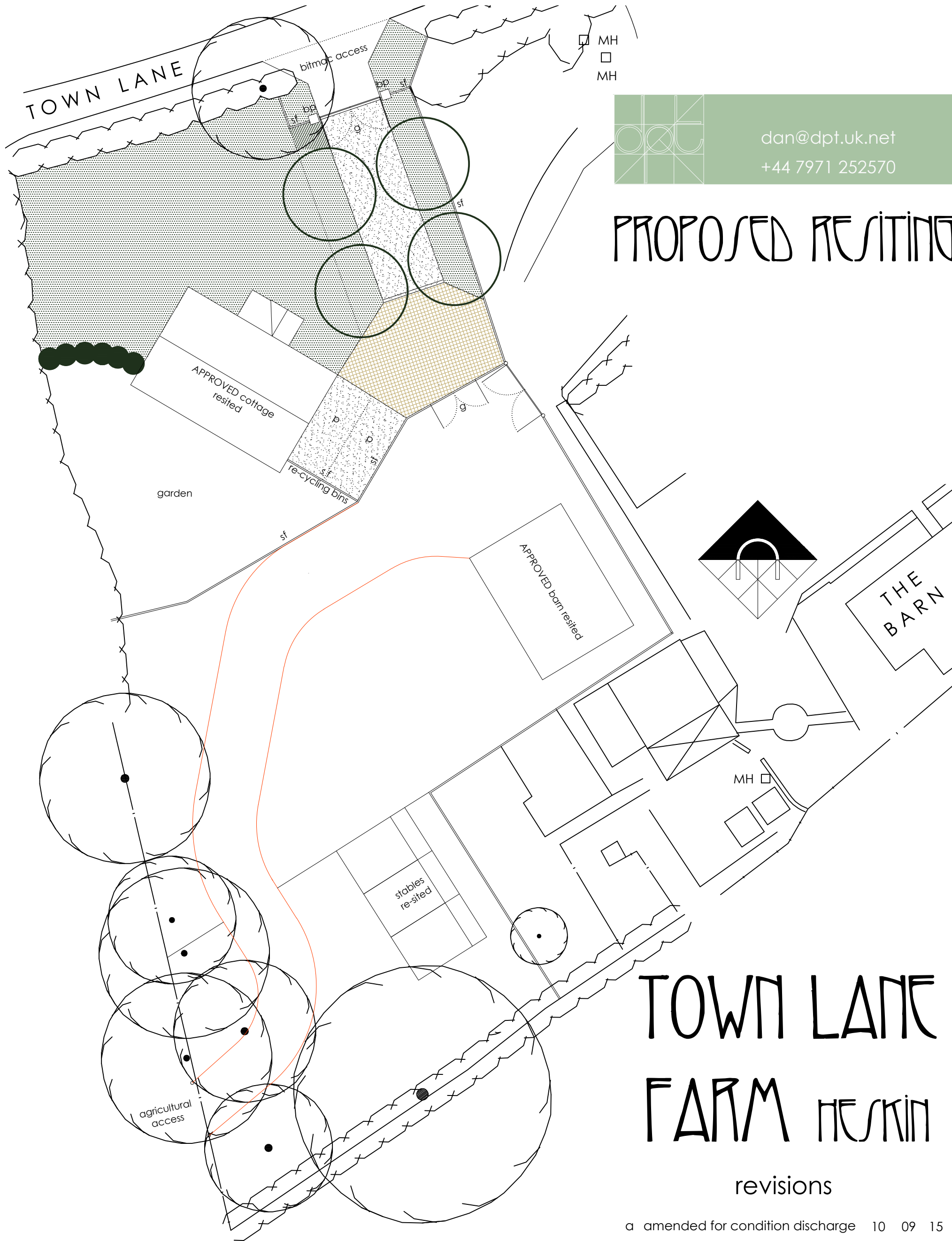
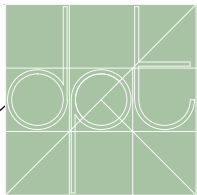
- a amended for condition discharge 10 09 15
- b amended for condition discharge 23 01 16

notes

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SITE PLAN

date	10	09	15	drawing no			
scale	1 : 250			1405 SP 02.1			
drawn	d	p	t	a	b		

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PROPOSED RESITING

TOWN LANE FARM HESKIN

revisions

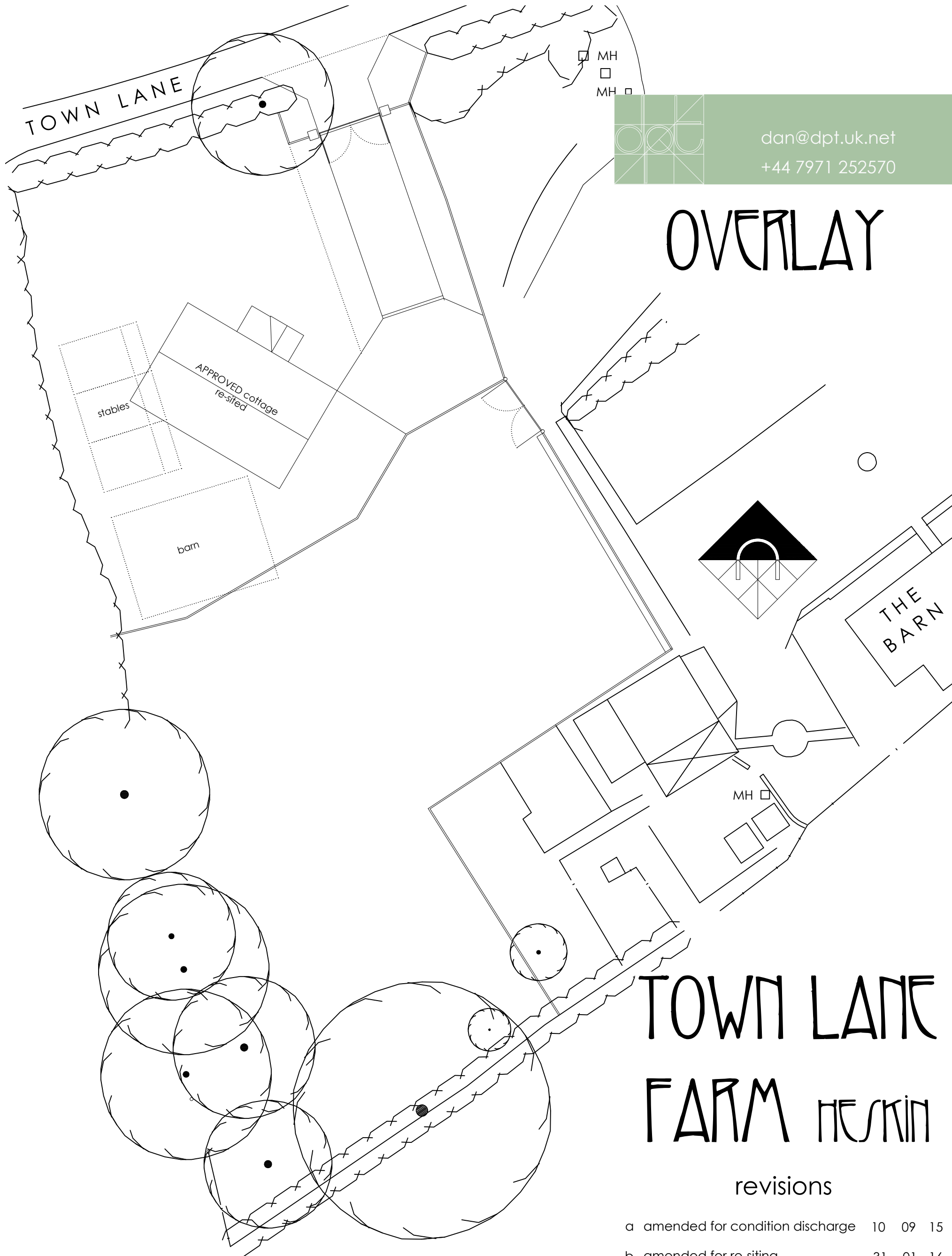
a	amended for condition discharge	10	09	15
b	amended for condition discharge	23	01	16
c	amended for re-siting	31	01	16

notes

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SITE PLAN

date	10	09	15	drawing no			
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OVERLAY

TOWN LANE FARM HESKIN

revisions

- a amended for condition discharge 10 09 15
- b amended for re-siting 31 01 16

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SITE PLAN

date	10	09	15	drawing no			
scale	1 : 250			1405 SP 02.3			
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Item 3d	16/00116/OUTMAJ
Case Officer	Adele Hayes
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

It is recommended that outline planning permission is granted subject to the associated legal agreement

UPDATE

At the Committee meeting of 24 May 2016 Members deferred determination of this application until after a site visit had been made. This site visit was timetabled for Monday 13 June at 16:30.

The previous report is unchanged and detailed below.

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 aisle 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>															

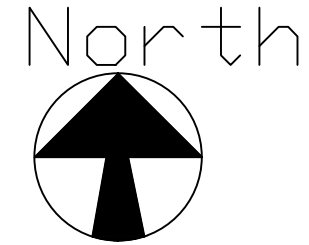
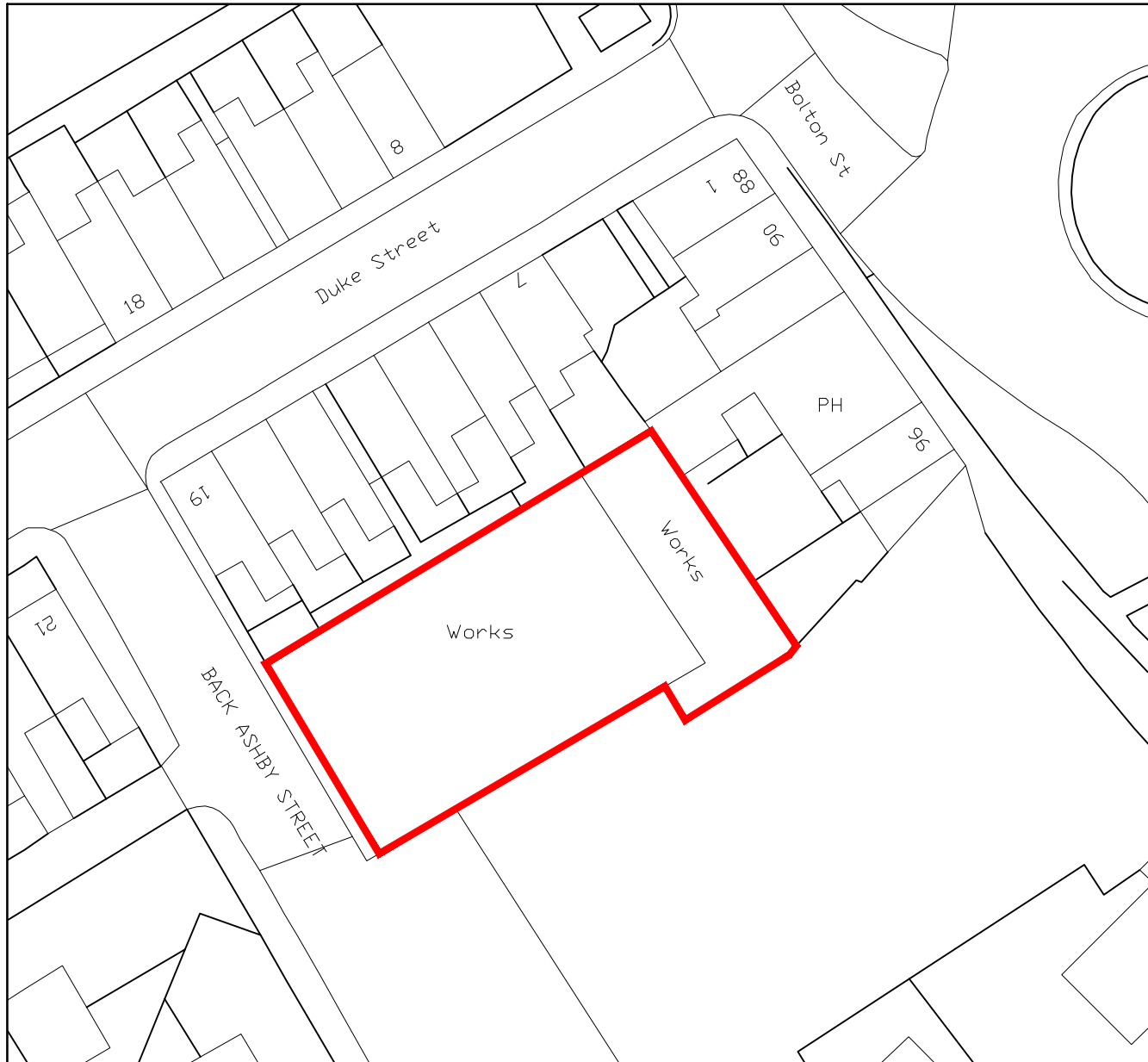
	materials and to ensure that the materials used are visually appropriate to the locality samples are required.
7.	All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires 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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Item 3e **16/00298/FULMAJ**

Case Officer **Caron Taylor**

Ward **Chorley North West**

Proposal **Demolition of existing hire shop and assembly hall and the erection of a 65 apartment extra-care facility with replacement dance hall and a cafe/restaurant on the site of Fleet Street long-stay car park.**

Location **Long Stay Car Park
Fleet Street
Chorley**

Applicant **Chorley Council**

Consultation expiry: **4th May 2016**

Decision due by: **8th July 2016**

Delegated		Delegated following Chairs Brief		Committee	X
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	Case Officer	Authorising Officer
	Caron Taylor	AEH13 June 2016
Date	1 st June 2016	13 June 2016

Recommendation

It is recommended that this application is approved

Representations

12 Representations have been received objecting to the proposal on the following summarised grounds:

- Object to the demolition of Primrose Cottage (HSS Tool Hire depot), a property included in the 1848 Ordnance Survey map and probably dating from the very early 1800's when Fleet Street (with other roads in that area) became among the first streets in Chorley to be named. Primrose Cottage is one of the few remaining properties in Chorley over 200 years old and as such, should be preserved. It will be lost to the town if the plans go ahead. If the development does go ahead Primrose Cottage could be included in the extra-care facility. There are very few early Victorian buildings remaining in Chorley;
- The planning application states "There is one property associated with this application" - this being the long stay car park at Fleet Street. As Primrose Cottage and the assembly hall have completely separate council identities, this inaccuracy renders the application null and void;
- Who would occupy the 65 'extra care' housing facility?;
- Object unless the job centre is re-located (to a town centre location) as part of the development due to vehicle damage due to bad parking/driving by people visiting the job centre, foul language and drug dealing. If the area is to be developed for the better then the underlying issues need to be fixed which seem to be growing (i.e. drink and drunk abuse/dependency);
- The proposed development is over land that was originally allotments;
- Three storeys are too high and will be higher than all the surrounding properties which are one and two-storeys. The new buildings will overlook the existing properties and light will be lost making them dark inside;
- The three-storeys should overlook the surgery and car park with two-storeys adjacent to Avondale;
- In an area which is densely populated and highly developed the privacy of gardens is of great importance and they will be overlooked;
- A whole car park will be lost and parking is already in short supply in Chorley. More people will park on the surrounding streets;
- The residents parking scheme in the area is under pressure and the existing surrounding uses attract a large amount of vehicles;
- The Council said in a previous proposal that the car park is underused, but this is because a large area of it has been marked out for coaches and other long vehicles, but they only use it on market day. If these were moved more cars would use it;
- The development will generate more traffic and there does not look to be enough parking for staff, visitors or residents proposed;
- They dispute there will be a reduction in car journeys made on Fleet Street as a result of the loss of parking spaces;
- It will cause further wear and tear on the roads that are already in a bad condition;
- Don't object to principle but believe it is gross over development of the site, bigger, taller and with a larger footprint (other than Market Walk) than any other residential development in Chorley centre. Other tall buildings in the town centre front onto major through fares;
- It could be better designed to reduce the amount or redistribute the three storey element – it is lowest in the area where it might be expected three or even four storeys could be built;
- They had been led to believe by the Master Plan that development would be primarily two –storeys with some limited three-storeys in the north and south eastern corners;
- Three-storeys produces a monolithic building;
- The development is completely out of context with the area;
- The overdevelopment of the site leaves very little space for car parking when there will be a fair amount of staff and visitors and some of the occupants will have cars;
- The south side of Peel Street/back Avondale Road is filled with shrubs, trees and brambles which contribute to a limited amount of greenery and help sustain their gardens with a variety of birds. They are therefore keen that landscaping is not a sterile green lawn, monoculture or concrete. Planting of more trees on the site night

- help soften its impact;
- Any treatment to the boundary should be out of the bird nesting season;
 - The feasibility of the proposal is not a good argument for justifying the permission for scale of development proposed;
 - They believe a re-design would provide a similar number of units;
 - They ask that the Council reviews the proposal and produces a development that accords with the principle of its Master Plan for the area;
 - The consultation exercise [prior to the application] was flawed;
 - The Design and Access Statement only references favourable comments from the consultation, ignoring constructive comments for a design reducing it from three-stores.
 - Despite a letter from the case officer saying that the development exceeds the interface distances in terms of the relationship between the existing properties on Avondale Road it does not alter the fact that it would be higher than the chimney tops of the existing properties.

Consultees

Consultee	Summary of Comments received
Economic Development	Support the application as the creation of the apartments with dance hall and café/restaurant realises the aspirations of Chorley Council's Town Centre Masterplan and Fleet Street Development Brief. This new residential development would: help to increase the town centre population and provide a boost to existing businesses and new uses on Market Street; diversify secondary and tertiary areas to non-retail uses; act as a community hub, connecting Market Street to the residential areas; help to focus on the existing retail core; help to meet demand for housing for a growing elderly population.
Strategic Housing	The development would help support the housing needs of the population of Chorley as it grows older.
United Utilities	Have no objection to the proposed development subject to conditions regarding foul and surface water.
Lead Local Flood Authority	Have no objection to the proposed development subject to the inclusion of conditions.
Council's Ecology Advisor	Is satisfied that the application can be forwarded for determination and that any permission if granted is supported by conditions.
Police Designing Out Crime Officer	Have recommended that security measures are designed into the building e.g. CCTV, standards of windows and doors, an alarm system etc. They state they have reviewed the boundary treatments proposed and they are fit for purpose.
Council's Conservation Officer	See body of report.
Council's Contaminated Land Officer	Has reviewed the submitted site investigation reports and advise they are acceptable. They refer to section 6 and section 7 of the Phase 2 investigation report that refers to submission of a remediation statement with the appropriate remedial measures and also completion of a gas monitoring exercise which might suggest further measures.
Environmental Health Officer	Is of the opinion that the proposed development is unlikely to cause an unreasonable disturbance to the existing noise sensitive properties.

Applicant's Case

1. Extra care housing is a type of supported housing which aims to be able to respond appropriately to the changing care and support needs of individuals who live there through the design of the accommodation which seeks to provide a home for life which enables independence for longer and the provision of on-site care and support.
2. The proposed model for delivering care and support within the proposed scheme will comprise planned care and housing management. A core care service will be commissioned by Lancashire County Council under a block contract; it will be available to all customers and will comprise a wellbeing service promoting independence, healthy living and social inclusion through activity co-ordination and support to access community facilities. Individuals will be required to use, and pay for, the service offered by the on-site provider of the core service.
3. Planned personal care will be funded through personal budgets and customers will have complete choice over which organisation delivers their planned care which they will fund from their personal budget. It is the aim that customers elect to use the on-site provider.
4. In relation to housing management, in addition to the care and support components, as the landlord, Chorley Council will also provide on-site presence for matters relating to tenancy management (repairs, rent collection, health and safety, management of the building etc.). This will be a 24 hour presence comprising a mix of a Housing Manager, Administration & Reception officer and Concierge.
5. In terms of criteria of eligibility to live in the apartments, applicants must be at least 55 years old (or in the case of two people living together at least one must be at least 55 years old). In exceptional circumstances disabled applicants below the minimum age will be considered. Applicants will normally require assistance with their daily living tasks and/or their personal care or may be quite independent but would benefit from a safer and more supportive environment. Applicants for the apartments must be eligible for social housing with priority given to those in housing need particularly on medical or welfare grounds. Allocation of the apartments will be made by a panel made up of representatives from Chorley Council, the care provider and Lancashire County Council Adult Social Care.
6. The proposal is to develop an extra-care scheme of apartments that includes community facilities, a café and clinical space. The scheme will offer apartments for both rent and shared ownership. 60 of the flats will be let at affordable rent levels with 5 flats available through a share-ownership scheme. The café will be a commercial operation and open to the public to promote the social aspect of extra-care. A hair and beauty salon will also be located in the building and a restaurant providing meals for residents if they do not wish to cook themselves along with a dance hall (which will replicate the sprung floor to be lost with the demolition of the St John Ambulance Hall) for both residents and external users.
7. Funding has been awarded for the scheme from the Homes and Communities Care and Support Specialised Housing Fund.

Assessment

Principle of the Development

8. The application site is within a settlement area as shown on the Local Plan 2012-2026 policies map and is covered by Policy V2 which states that there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the plan.

Layout and Appearance

9. The application site is made up of the existing Fleet Street long-stay car park, the HSS Hire building and St John Ambulance Hall accessed from Fleet Street and the Runshaw College car park accessed from Gillibrand Walks.
10. A topographical survey accompanies the application. There is over a 2m fall in levels from north to south at the Fleet Street side of the site but the west side is relatively flat.

11. The site is located a few metres outside the town centre boundary. It is surrounded by various uses. To the south east the terraced properties on Gillibrand Walks back onto the site, to the south west the job centre backs onto the site and to the northwest the properties on Avondale Road, Emmaus Chapel and Library House Surgery back onto the site. They are separated from the site by alleyways serving the rear of the properties. To the northeast the site bounds with Fleet Street on the opposite side of which is Fleet Street Short Stay car park, the end gable of MedicX Pharmacy, the Italian Cottage Restaurant, a car body repair garage and Fleet Street Memorial Garden a small area of green space on the corner of Fleet Street and Cheapside.
12. The main frontage of the site is Fleet Street and the layout proposes that the parts of the building open to the public e.g. the restaurant/café, dance hall and hair and beauty salon, will be located facing this frontage which is considered appropriate and focusses the non-residential uses of the scheme away from the surrounding existing residential properties. The proposed residential apartments will be set around a courtyard garden open on one side to the back of the properties on Gillibrand Walks. The building frontage to Fleet Street will be set back from the road to provide an area for the café to have outside seating which will wrap around the corner of the building which will be visible from the junction of Pall Mall and Fleet Street and also down Cheapside and from Market Street therefore responding to the streets around and the views afforded from them.
13. The scheme has been designed so that the communal and commercial areas of the building will be viewed as public space rather than private, the aim being to avoid residents being 'shut-away' and to be active and encourage interaction with visitors and the community in general. There will be a restaurant on the site that will provide meals for residents and a pavement café open to visitors and a replacement sprung dance floor open to visitors to replace the one in the existing St John Ambulance Hall to be demolished.
14. The apartments themselves have either a small terrace at ground floor or balcony at first and second floor providing a small amount of private amenity outside space with the landscaped gardens providing communal outside space. Allotments for occupiers of the apartments are situated to the south west of the site to the rear of the Job Centre building with an associated green house, garden shed and raised planters.
15. The proposed materials are a red brick for the body of the building, a buff detail brick and a dark red brick to create decorative panels, with a fibre cement slate roof. It is considered the final details of the materials including the detailing of the decorative panels can be controlled by a condition.
16. It is envisaged that the hard landscaping of the scheme will use materials similar to those on Market Street, with the café terrace area to Fleet Street paved in buff concrete paviours. An amended plan has been received at the request of the case officer amending the café terrace surfacing so that a 2m wide footway remains defined between the terrace and the road.
17. The existing boundaries of the site are a mixture of metal tubular railings, galvanised palisade fencing and diamond mesh fencing. It is proposed to define the boundaries of the site to the Job Centre and rear of Gillibrand Walks with 1.8m high dark green welded mesh fencing to separate the site from the rear access paths and provide security to the scheme while still allowing views into the site. To Peel Street/the back of Avondale Road a lower 1.2m high hoop-top railing is proposed as this is a wide, well use pedestrian route to the town centre. The same railings will continue along the Library Street Frontage enclosing the car park and are also proposed around the overflow car park. Within the site a 1.8m high brick wall is proposed adjacent to the commercial kitchen to screen it from the rear of the properties on Gillibrand Walks.
18. The design and appearance of the scheme is considered acceptable. It is considered the design and positioning of the different elements on the site have been considered carefully and as a result it is considered that resultant development will be high quality, responding well to the Fleet Street/Library Street frontage and will encourage use by the community while still providing a safe environment to residents.

Scale

19. The immediate surrounding properties are two storeys high. The majority of the proposed building will be three storeys being between approximately 11.2m and 13m high, but the top floor of the flats will utilise room within the roof space with a lowered eaves level and dormer windows which reduces the visual massing of the building. The building wraps around an internal courtyard garden that is open to the south east of the site. The ends of the building in south east and east corners of the site are reduced to two-storeys in height which provides visual interest to the building. The building will be larger than the majority of the surrounding properties in terms of its height and massing however the design and materials proposed break up the massing visually and it is not considered that a three-storey building is unacceptable in this location. Its scale and massing are considered appropriate to the use proposed and the aspirations for the town centre and its immediate environment. It should also be noted that a three storey building (with fourth storey on the corner) has been approved on the corner of Pall Mall and Gillibrand Walk.

Access and highways

20. The access to the main car park for the development will be from Library Street close to the location of the existing access to the St John Ambulance Hall with overflow parking being provided in what is currently the car park for Runshaw College on the corner of Fleet Street and Gillibrand Walks accessed from Gillibrand Walks.
21. LCC Highways advise that the scale of the development requires a Transport Statement to be submitted. The purpose of a Transport Statement is to set out the transport issues relative to the development and to assess the sustainability of the site as to its accessibility for walking and cycling. The transport issues associated with the proposed development have been fully assessed as part of the development. Although this is not in the form of a formal Transport Assessment, it is considered that as the site is in a very sustainable location, only a few metres from the boundary of the Town Centre and close to numerous services and facilities to allow access by residents to services other than by car, the considerations/ assessment which a Transport Assessment would provide have been fully addressed as part of this scheme.
22. Parking is at a premium in the streets surrounding the site as the majority of properties do not benefit from their own off-street parking and therefore rely on on-street parking, the need for which is exacerbated by the doctor's surgery and other uses such as the pharmacy, church etc. in close proximity to the site.
23. In terms of proposed parking levels, 43 spaces are proposed, 33 on the main car park and 13 on the overflow car park. Policy ST4 of the Local Plan 2012-2016 sets out the Council's parking standards. There is no specific standard for an extra-care facility. Standard apartments require one space for one-bed and two spaces for two-bed apartments (which would require 82 spaces), whereas sheltered accommodation requires one space per three beds (which would require 27 spaces). However, it is not considered that either of these uses accurately reflects the type of development proposed. As well as residents, it is estimated that the building will be staffed by approximately 11 full-time staff and 9 part-time staff. It is considered that car ownership amongst residents is likely to be low, especially given the location right on the edge of the town centre. The applicant advises that other similar-sized schemes tend to have low levels of residents owning cars and typically provide parking at a percentage of 35-40% which is lower than the parking proposed for this scheme. In terms of staff and visitors, the site is within close proximity to the town centre car parks. LCC Highways have no concerns regarding the access points to the site and consider the parking proposed is acceptable taking into account the local circumstances such as its sustainable edge of town centre location and its proximity to other car parks.
24. The proposed development will be built on the existing Fleet Street long-stay car park which currently provides 115 parking spaces (including 5 spaces for disabled people) along with 8 coach parking spaces. A parking report was commissioned by the Council in 2013 which assesses the current parking situation in the town centre and forms part of the Town Centre Masterplan. At that time there were 1408 publically available spaces; 647 long stay and 761 short stay.
25. It was identified that up to 282 car parking spaces could be removed from the town centre without having a detrimental impact on wider car parking provision once ASDA was complete and parking provided on Market Street (both are now in place). ASDA car park has 435 spaces available for

three hour parking. The Fleet Street car park was identified as one of the car parks having the greatest degree of spare capacity that could be removed.

26. Further parking surveys were done as part of the Market Walk extension planning submission last year and this permitted development once constructed will reduce the number of short stay spaces on the Flat Iron car park by 199. This survey is considered more up to date and accurate than the 2013 survey included with the application as it includes the spaces now available at ASDA and also includes assessments on Tuesday, market day, the busiest weekday when the outdoor market occupies 151 spaces of the Flat Iron car park and people who work in the town centre with season passes will also be using the car parks. It was also carried out in the run up to Christmas when the town centre is at its busiest. Importantly this survey took account of 164 spaces on Fleet Street car park being lost to future development (Fleet Street did originally have 164 spaces but some were changed to coach parking spaces a few years ago so it now has 115 spaces).
27. This survey analysed the utilisation of parking spaces by taking the ratio of the maximum spaces occupied to available spaces expressed as a percentage. The observations indicate that car park utilisation as exists on Tuesday is 65%, on Friday 56% and on Saturday 58%.
28. The effect of the proposals (including the Market Walk extension and the current development applied for on Fleet Street) on available capacity indicates car park utilisation on Tuesday would be 82%, Friday 69% and Saturday 73%. The survey shows that even with 199 spaces being lost on the Flat Iron car park, and the loss of Fleet Street car park, the town centre car parks can accommodate the existing levels of demand for parking.
29. Considering the parking figures and the already committed development in the form of the Market Walk extension, it is not considered the proposal will have an unacceptable adverse impact on the parking in the town centre. Runshaw College has been offered alternative parking on other existing car parks.
30. In terms of use of the dance hall for other events, or uses which are more likely to take place in the evenings, all the car parks within the town centre, including those opposite the site are free to use after 5pm and there is likely to be greater capacity within the car parks during the evening when the town centre shops are closed.
31. In terms of coach parking that will be lost, the Market Walk, Markets and Town Centre Manager advises that the existing coach bays are primarily in use on a Tuesday for coach trips to the market. Although there are 8 bays they advise in reality there are never more than 3 coaches at any one time and the Council are looking at relocating coach parking bays either into other car parks and/or re-designation of some of the on-street parking bays for coach use on Tuesdays only. The bus station also has 2 bays that the Council use for short stay coach parking. It is therefore considered that coach parking can still be accommodated and there is capacity for them to be moved to other areas of the town centre.
32. The proposal is therefore considered acceptable in terms of parking in relation to both the parking proposed for the development and the impact on the wider parking within the town centre.
33. Pedestrian access to the apartments is via a path from Fleet Street to the entrance on the northwest elevation of the building adjacent to the main car park, or through the building accessed adjacent to the café which also gives access to the dance hall for the public. The hair and beauty salon will be accessed from either within the building or via a ramp to a secondary path off Fleet Street. As stated previously, an amended plan has been received at the request of the case officer reducing the extent of the café terrace surfacing so that a 2m wide footway remains defined between the terrace and the road. LCC Highways have noted that the proposed flag paving outside the edge appears to be an encroachment onto the public highway. The applicant is aware that the flag paving is within the adopted highway. The aim is to incorporate the existing pavement so that the frontage of the site up to the kerb line is all surfaced in the same matching materials. They are aware the necessary consents/permissions will be required from LCC before this can take place.

Impact on Neighbours

34. The existing residential properties on Avondale Road and Gillibrand Walks back onto the application site.
35. The properties on Avondale Road will back onto the northwest side of the proposed development. These properties are two-storey with relatively generous back gardens. They are separated from the application site by an alleyway approximately 10.5m wide with most of the properties have garages/outbuildings and/or gates backing onto it.
36. The northwest elevation of the proposed scheme facing towards the rear of the properties on Avondale Road will be made up of three storey residential apartments with balconies at first and second floor. Due to level differences, the finished floor level of the proposed extra-care apartments will be at a slightly lower land level than the level of the existing properties on Avondale Road. The Council's interface distances require there to be 21m between facing first floor windows to habitable rooms, though this is increased to take account of level differences. Although the proposed flats will have balconies, there will be over 35m between the proposed balconies and the nearest first floor windows of the existing properties which is far in excess of the increased guideline of 24.6m. The increased guideline to the boundary of the rear gardens from the proposed apartments is also exceeded, as is the relationship from an existing window to a blank wall in terms of 21 and 21a Avondale Road to the side wall of the apartments proposed.
37. Although the proposed extra-care apartments will be at a lower level than the level of the existing properties on Avondale Road, they are however three-storeys high whereas the existing properties are two-storey. Although the Council's interface distances do not specifically cover the relationship of proposed three-storey properties with existing two-storey properties, even applying the interface standards using the floor level of the first floor apartments, rather than the ground floor level (which the Council would not normally assess in this way), the proposal still exceeds the guidelines (again extending the distances due to the differences in levels). The proposal is therefore considered to have an acceptable relationship to the properties on Avondale Road.
38. The southeast boundary of the site bounds with the rear of the properties on Gillibrand Walks separated by an alleyway which is between approximately 3.5 and 4m wide. The proposed development is set round a courtyard which is open on this side and therefore only the end elevations of the building where the restaurant and flats 11 and 12 are located (which are both two-storey in height), will face towards the rear elevations of these properties. The restaurant end of the building exceeds the 12m guideline for a first floor window to a blank wall (the guideline does not need to be extended for the levels) in relation to numbers 2 and 4 Gillibrand Walks. The other end of the building at flats 11 and 12 is also blank and will face towards numbers 18 to 26 Gillibrand Walks. The guideline needs to be increased to take account of the level difference (the floor level of the proposed development will be approximately 0.6m higher than that of the existing properties). The proposal exceeds the extended guideline for all the properties apart from number 26 where it is approximately 12cm short at the narrowest point, however the elevation that this property will look towards is angled away from this property so this distance is only breached at the very corner of the development. In addition due to the orientation of the proposed development and this property (it is due southeast of it) the building will not result in shadowing to this property or its garden. This relationship is therefore considered acceptable.
39. There are no residential properties opposite the site on Library Street or Fleet Street and to the southwest of the site is the Job Centre. It is not considered that the proposal will have an unacceptable impact on the adjacent commercial businesses.
40. The resultant relationship of the proposed development with surrounding properties is therefore considered to be acceptable.
41. It is not considered that the proposal will result in unacceptable noise to the surrounding properties. Although a dance hall is proposed within the development, this will replace the existing St John Ambulance Hall to be demolished on the existing site. The architect advises that the building will be constructed to minimise noise transfer to the flats above the hall in accordance with standards set out in other regulations outside the planning regime. Noise from nuisance to surrounding properties from such uses is often due to doors and windows being left open. It is

envisaged at this stage that the dance hall will be mechanically ventilated via heat recovery air-handling units (AHU) with built-in noise attenuation which could be housed in the generous ceiling voids above the proposed changing areas rather than on the flat roof outside the first floor flats facing Fleet Street. The final details of the ventilation can be secured via a condition to ensure they are acceptable.

Affordable Housing

42. Policy 7 of the Core Strategy sets out a 30% requirement for affordable or special needs housing for developments in urban parts of Chorley. The development is for 100% extra-care accommodation which is a form of special needs housing. The proposal is therefore in accordance with this policy.
43. Policy 7 also requires special needs housing, including extra care accommodation, to be well located in communities in terms of reducing the need to travel to care and other service provision and a proportion should be affordable. The proposed development is located on the edge of Chorley town centre close to shops, a doctor's surgery and other local services.

Ecology and Landscaping

44. The majority of the site is hard surfaced, however the development will involve the demolition of the existing HSS Hire and the St John Ambulance Hall buildings. A bat survey has therefore been submitted with the application which has been reviewed by the Council's ecology advisor. They advise appropriate surveys have been undertaken and no further surveys are necessary. Although no bats were found, both buildings do support features which could be used by roosting bats. Bats are mobile in their habits and are known to change roosts frequently. It is therefore recommended that the features identified within the submitted report be removed by hand, prior to demolition works. If bats are found at any time during works, then work should cease immediately and advice sought from a suitably qualified bat worker. The Council's advisors recommend conditions to this effect, be placed on any permission, if granted. The proposal is therefore considered acceptable in relation to ecology subject to conditions.
45. Representations have been received regarding the landscaping of the site and the wish that it is not a sterile environment but rather will encourage wildlife and it has been requested that trees could be planted to soften the impact of the development. A landscaping scheme has been submitted with the application and is considered acceptable. This includes tree planting and envisages different areas including a wildflower area, a sensory garden and a pebble and grass garden. It is considered the landscaping of the site will encourage wildlife. The Council's ecology advisor has advised that opportunities for biodiversity enhancement be incorporated into the development and should include bat bricks and/or tubes within the new development, bat boxes and bird boxes. It is considered that a condition can be suitably worded to include details of these and where they will be provided. The paths will have level-access and any inclines limited to a 1:21 to allow it to be fully accessible to residents. Pathways will also be hard-surfaced or sealed allowing wheelchair access.
46. The proposal includes provision of an allotment area for residents adjacent to the southwest boundary of the site surfaced with bound gravel and raised planters to allow easy access for residents. It will also have a shed and greenhouse. They will be managed and maintained as part of the site. This is looked upon favourably and is considered to comply with Policy 23: Health of the Core Strategy that encourages the role of allotments within developments.

Levels

47. There is a change of levels on the site of over 2m north to south. Cross-sections through the proposed development have been provided showing how these will be dealt with. The access to the building is required to be level so the level change across the site will be managed by a change in the ground floor level within the building and the café and dance hall having higher ceilings.

Drainage and Flood Risk

48. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency and the site is less than 1 hectare in size, therefore a Flood Risk Assessment is not required.

49. It is proposed that foul sewage will connect to the existing foul network. In relation to surface water, the amount of hard surfacing on the site will reduce as a result of the proposed development from that which exists. The National Planning Policy Framework and National Planning Practice Guidance (NPPG) require surface water to drain in the most sustainable way and outlines the hierarchy of options developers should consider in a drainage strategy. An initial drainage strategy has been submitted with the application which goes through the correct hierarchy. This suggests that disposal of surface water by infiltration (soakaways) is unfeasible as the water table is high and there are no watercourses close to the site for water to discharge to. It is therefore envisaged at this stage (subject to further tests) that surface water will discharge to the existing sewer at a restricted rate to be agreed.
50. The Lead Local Flood Authority has reviewed the application and has no objection to the application subject to the imposition of conditions that deal with details of the design, based on sustainable drainage principles, of an appropriate surface water sustainable drainage scheme and its future implementation and management. United Utilities have also requested similar conditions. Full details of the proposed drainage scheme can be secured via conditions.

Contaminated Land

51. Phase 1 and 2 site investigations have been undertaken and reviewed by the Council's Contaminated Land Officer who advises they are acceptable. They refer to section 6 and section 7 of the Phase 2 investigation report that refers to submission of a remediation statement with the appropriate remedial measures and also completion of a gas monitoring exercise which might suggest further measures. These can be secured via a condition.

Other Issues

52. Objections have been raised about the demolition of the existing HSS Hire Shop on the site. This was originally Primrose Cottage with a date stone stating 1843. The Council's Conservation Officer has inspected the building, both inside and out and advises that judging from the style of the building it accords with this construction date. The Conservation Officer also advises that buildings from the Victorian period onwards are not automatically listed by Historic England as in many cases, as here, the building is either not worthy of designation and/or has been significantly altered. An internal inspection revealed that no original features remain and that there has been a considerable degree of external alteration as well – windows and doorways have been blocked on at least three elevations, plus a later extension was added in 1934 – probably at the time the building was used as the club house for the then adjacent bowling green. As a result they do not consider the building is worthy of even local designation, however they recommend a basic photographic record should be made of it as a pre-commencement condition. The proposal is therefore considered acceptable in relation to demolition of this building subject to the condition recommended.
53. In relation to the St John Ambulance Hall, the Conservation Officer advises that this has been previously inspected both internally and externally and whilst being of some local interest does not warrant any form of designation.
54. Representations have been received making an objection unless the existing Job Centre to the southwest of the site is re-located. The Job Centre is, however, outside the application site. The application is being assessed on the acceptability of what has been put forward and that has been found to be acceptable.

Public Open Space

55. Normally financial contributions towards the cost of allotments and playing pitches are required for a development of this size in this location. However, the proposal is not considered to be open market housing, but rather specialist accommodation, primarily for people over 55 requiring some element of care. Additionally allotments are being provided as part of the scheme. It is not, therefore, considered to be a type of development that is required to make such a contribution.

Overall Conclusion

56. The proposal involves an appropriate form of development within a sustainable location and will provide much needed housing which will benefit the Borough as a whole. As such 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

There is no planning history relevant to the current application.

Suggested Conditions:

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Prior to the construction/implementation/siting of any air-conditioning or air-handling units on the building full details including design, location and technical specification shall be submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the approved details and maintained as such.

To ensure the details are acceptable in terms of visual amenity and impact on adjoining properties.

3. Prior to the construction of the superstructure of any part of the building 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: To ensure that the materials used are visually appropriate to the locality.

4. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be submitted to and agreed in writing with the Local Planning Authority before any the building is commenced.

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

5. The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any part of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

Reason: To ensure provision of adequate off-street parking facilities within the site.

6. Prior to the commencement of any development, other than site investigation and enabling works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly. The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This is required to be pre-commencement condition to ensure a satisfactory scheme is incorporated into the development from the very start of the construction process.

7. Before any development hereby permitted is first commenced, other than site investigation and enabling works, full details of the means of foul water drainage/disposal shall have been submitted to

and approved in writing by the Local Planning Authority. The building shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage. This is required to be pre-commencement condition to ensure a satisfactory scheme is incorporated into the development from the very start of the construction process.

8. The development shall be carried out using the ground surfacing materials detailed on the approved site plan and no others substituted unless first submitted to and approved in writing by the Local Planning Authority.

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

9. For the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.

10. No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority. Those details shall include, as a minimum: a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + 30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD; b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate.. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing as applicable; f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; g) Details of water quality controls, where applicable; h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development which, as a minimum, shall include: a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company; b) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as: i) on-going inspections relating to performance and asset condition assessments: ii) operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime; c) means of access for maintenance and easements where applicable. The scheme shall be implemented in accordance with the approved details prior to first occupation of any part of the building, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained, to ensure that there is no flood risk on or off the site resulting from the proposed development and to ensure that water quality is not detrimentally impacted by the development proposal. This is required to be pre-commencement condition to ensure an acceptable surface water drainage scheme is designed into the scheme from the outset.

11. Before any development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No part of the building shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure a satisfactory means of drainage. this is required to be a pre-commencement condition to ensure a satisfactory foul drainage scheme is design into the scheme from the start.

12. No development shall take place (other than site investigation and enabling works) until a Remediation Statement has been submitted to and approved in writing by the Local Planning Authority

which shall include the details set out at paragraph 6.6 and 7 of the Phase 2 Site Investigation Report (ref: S150415/SI) carried out by Solmek submitted with the application as well as an implementation timetable and any monitoring proposals. A validation report containing any validation sampling result shall be submitted to the Local Planning Authority for written approval. Thereafter, the development all only be carried out in full accordance with the approved remediation proposal.

Reason: To protect the environment and prevent and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end sue. This is required to the a pre-commencement condition to ensure that the site is made safe for development before works commence.

13. The HSS Hire building (Primrose Cottage) shall not be demolished until a basic external photographic record of it has been submitted to and approved in writing by the Local Planning Authority.

Reason: To record the building prior to its demolition.

14. The features identified within the Smeeden Foreman Report (Smeeden Foreman (2015). Preliminary Ecological Appraisal Chorley Extra Care, Chorley, Lancashire) within the buildings to be demolished shall be removed by hand, prior to demolition works. If bats are found at any time during works, then work should cease immediately and advice sought from a suitably qualified bat worker.

Reason: The buildings on the site support features which could be used by roosting bats.

15. Prior to occupation of the building details of measures for biodiversity enhancement of the 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 and bird boxes.

Reason: To ensure that opportunities for biodiversity enhancement are incorporated into the new development

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

Title	Drawing Reference	Received date
Site Location Plan	477/01(02)001 Rev A	13 th May 2016
Proposed Site Plan	477/01(02)003 Rev A	13 th May 2016
Proposed Floor Plans: Ground Floor Plan	477/01(02)010 #	4 th April 2016
Proposed Floor Plans: First Floor Plan	477/01(02)011 #	4 th April 2016
Proposed Floor Plans: Second Floor Plan	477/01(02)012 #	4 th April 2016
Proposed Site Sections Section A-A	477/01(02)202 #	4 th April 2016
Proposed Site Sections Section B-B & HH	477/01(02)201 #	4 th April 2016
Proposed Site Sections Section C-C	477/01(02)203 #	4 th April 2016
Proposed Site Sections Section D-D & E-E	477/01(02)204 #	4 th April 2016
Proposed Site Sections Section F-F & G-G	477/01(02)205 #	4 th April 2016
Typical 1B2P Flat Plan	477/01(02)013 #	4 th April 2016
Typical 2B3P Flat Plan	477/01(02)014 #	4 th April 2016




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

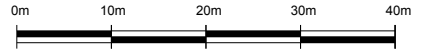
17. No development shall take place, other than site investigation and enabling works, until a Construction Method Statement has first been submitted to, and approved in writing by the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide details of: the parking of vehicles of site operatives and visitors; hours of operation (including deliveries) during construction and demolition; loading and unloading of plant and materials; storage of plant and materials used in constructing the development; measures to control the emission of dust and dirt during construction and the location and height of any site compound including site cabins.

Reason: The site is located 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.



- Key**
-  Site boundary
 -  Existing buildings
 -  Existing buildings etc. demolished



REV: A | DATE: 13.5.16 | DRAWN: GJ | CHECKED: GJ
 SITE BOUNDARY UPDATED TO DEEDS PLAN RECORD

REVISIONS
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Extra Care Development
 Fleet Street,
 Chorley, Lancs.

Planning Scheme:
 Site Location Plan

Drawn: GJ | Scale: 1:500@A3
 Date: 1.3.16 | Checked: KWB

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Dwg No: 477/01(02)001 A

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Item 3g	15/01203/FUL
Case Officer	Caron Taylor
Ward	Euxton South
Proposal	Proposed sand paddock
Location	Culbeck Farm Culbeck Lane Euxton Chorley PR7 6EP
Applicant	Mr & Mrs M Hill
Consultation expiry:	20th May 2016
Decision due by:	24th June 2016

Recommendation

It is recommended that this application is approved.

Representations

Euxton Parish Council – no comments have been received.

In total 4 representations have been received objecting to the proposal on the following summarised grounds: (Two neighbour objections were received to the original notification and two objections were received to the amended plans (one from one of the original neighbour who objected and the other from another neighbour):

- Re-siting the sand paddock further south makes no difference to their original objections;
- It is still Green Belt so should not be developed on;
- Culbeck Lane has deteriorated significantly over the past few years in the main owing to the heavy farm vehicles and previous farm construction traffic. No subsequent repair is carried out by the residents of Culbeck Farm and no attempts have been made by LCC to force any repair to the damage created to the highway. LCC should be dealing with the illegal damage created to their highway before any more planning applications are approved, which will only intensify the present difficult issues on the lane. It will be situated less than 30m from neighbouring properties and result in significant visual intrusion and smell from the site and contravenes the Rural Development SPD Chorley Borough Councils Planning Guidance Development Involving Horses (document FP89);
- It is of a massive size at 800m², the rural development SPD states it should be of a minimum size and not encroach into open countryside. It will be intrusive in the landscape;
- It will exacerbate access issues on Culbeck Lane;
- There is other land available within the farm for the sand paddock;
- It will result in intrusion and noise and scar the landscape;
- The applicant proposes to access the site from Culbeck Lane. Due to the sensitive issues already existing between residents regarding access over Culbeck Lane which recently resulted in violence and a custodial sentence for the brother of the applicant they feel this will only exacerbate access problems along the lane;
- The applicant states that the reason for the proposed site is that there isn't any other appropriate land anywhere else. The applicant has owned horses for 8 years since 2007 and has exercised these in various fields. There is ample land available within the existing 'developed' areas of Culbeck Farm without disturbing further Green Belt land and adjacent to neighbouring properties;

- The site access is off Culbeck Lane, para 6.11 states that equestrian developments should not create dangers to horses, riders and other road users. There have been numerous access related incidents along Culbeck Lane including acts of physical violence by and prison sentences for members of the applicant’s family. The proposed site is likely to increase potential conflicts for current residents along the lane;
- The application mentions that it conforms to NPPF guidance esp. paras 81 & 89 - to promote outdoor and recreational activity - this only relates to commercial equestrian proposals not private and so is not correct. There is plenty of suitable land for a sand paddock within the 'developed' area of Culbeck Farm - alongside existing outbuildings and barns - there is no need to have this site on existing Green Belt fields, it will cause significant visual intrusion, create access problems for exiting residents. The application is very poor and should not be granted planning permission.

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	Have no objection to the proposal.

Assessment

Principle of the Development

1. The application site is in the Green Belt. Paragraph 89 of the National Planning Policy Framework (the Framework) relates to buildings so is not relevant to the current application. It is considered that the proposal should be assessed under Paragraph 90 as an engineering operation. The Framework states that such development is not inappropriate provided it preserves the openness of the Green Belt and does not conflict with the purposes of including land in it.

2. 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 proposal involves creating a sand paddock which includes some re-profiling of the land to allow the paddock to be flat. The paddock will be enclosed by a post and rail fence approximately 1.2m high. The proposal does however, effectively 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 is not adjacent to a large built-up area and will not therefore involve sprawl of a large built-up area into the Green Belt.

Purpose 2 (to prevent neighbouring towns merging into one another)

The proposal would not lead to the coalescence of neighbouring towns or the coalescence of neighbouring villages.

Purpose 3 (to assist in safeguarding the countryside from encroachment)

Although the proposal would be sited on the other side of Culbeck Lane from Culbeck Farm it will be viewed in the context of the farm and the adjacent dwellings in the landscape. It is not therefore considered it would be viewed in isolation and therefore as encroachment.

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).

3. As such it is considered that the proposal will preserve the openness of the Green Belt and will not conflict with the purposes of including land in the Green Belt. The proposal is therefore not considered inappropriate development in the Green Belt.
4. It is noted that objectors state that the Framework (NPPF) guidance only relates to commercial equestrian proposes not private ones. This is not correct the Framework covers all development within the Green Belt.

Design and Layout

5. The application site is a field located to the west side of Culbeck Farm accessed from Culbeck Lane almost opposite the access to the farm yard. The stables are sited on the farm near to the access so the paddock will be sited relatively close to the existing stables. The case officer has visited the site and toured the farm to see if the paddock could be sited within the existing yard. This is not considered possible, due to levels of adjacent land and the relationship with the cattle areas on the farm and the route to get the horses to the paddock.
6. In terms of its size the paddock will be approximately 20m x 40m in size. This is a typical size of paddock that the Council regularly permits across the borough for private use. It is not considered excessive in size (as a comparison a standard dressage arena is 20mx x 60m, 20m x 40m is the size of a small arena). A cross-section of the proposed sand paddock has been provided. It will have a stone base layer, with membrane over with sand on top. It will be surrounded by a post and rail fence around to a maximum height of 1.3m with a sand/kick board around the bottom.
7. Due to the existing levels of the land the sand paddock will require some cut and fill works. The greatest level increase will be to the south end of the sand paddock, the majority of the works will involve reducing the level of the land at its northern end so it will sit lower in the landscape than the current level of the land. It is not considered to be significant in terms of how it will change the character of the site visually and given that the level will mainly be reduced it will ensure it does not appear built out of the ground. The post and rail fencing proposed around the sand paddock is of an acceptable design and is a typical means of enclosing sand paddocks and fields in rural areas.
8. The design and scale of the sand paddock is therefore considered to be acceptable.

Neighbour Amenity

9. The sand paddock will be located approximately 15m away from the boundary with the nearest property 1 Culbeck Lane and approximately 22m from the property itself.
10. Objectors have commented that the sand paddock should be at least 30m away from their properties as required by the Council's Supplementary Planning Documents. This distance however relates to the siting of new buildings. With buildings, problems of smells and flies are more of an issue than with a paddock where exercise and grazing are to take place.
11. There will undoubtedly be some noise generated from the use of the sand paddock but it is not considered that it will cause unacceptable detrimental harm to the living conditions of the occupiers of the nearest properties. It is to be sited next to an adjacent working farm, parts of which are closer to the neighbouring properties than the paddock proposed.
12. The sand paddock does not include the provision of lighting or sound amplification and a condition is recommended preventing the installation of these features.

Highways

13. Culbeck Lane is an unadopted road in a poor state of repair. The Council is aware that there have been issues between the residents regarding access along the lane and in relation to the condition of the road. Residents have also been in contact with the County Council about the repair of the road as a public right of way runs along it. The application must strictly be considered on its planning merits. Access issues are a separate private matter between residents.
14. The horses are already housed on the farm and the field where the paddock will be positioned has an existing access into it. It is not considered that the proposal will result in an unacceptable increase in traffic in terms of highway safety.

15. The proposal will not block the public right of way (no. 35) that runs along Culbeck Lane or public right of way no. 35 that crosses Culbeck Lane.

16. The proposal is therefore considered acceptable in relation to highways and access.

Overall Conclusion

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

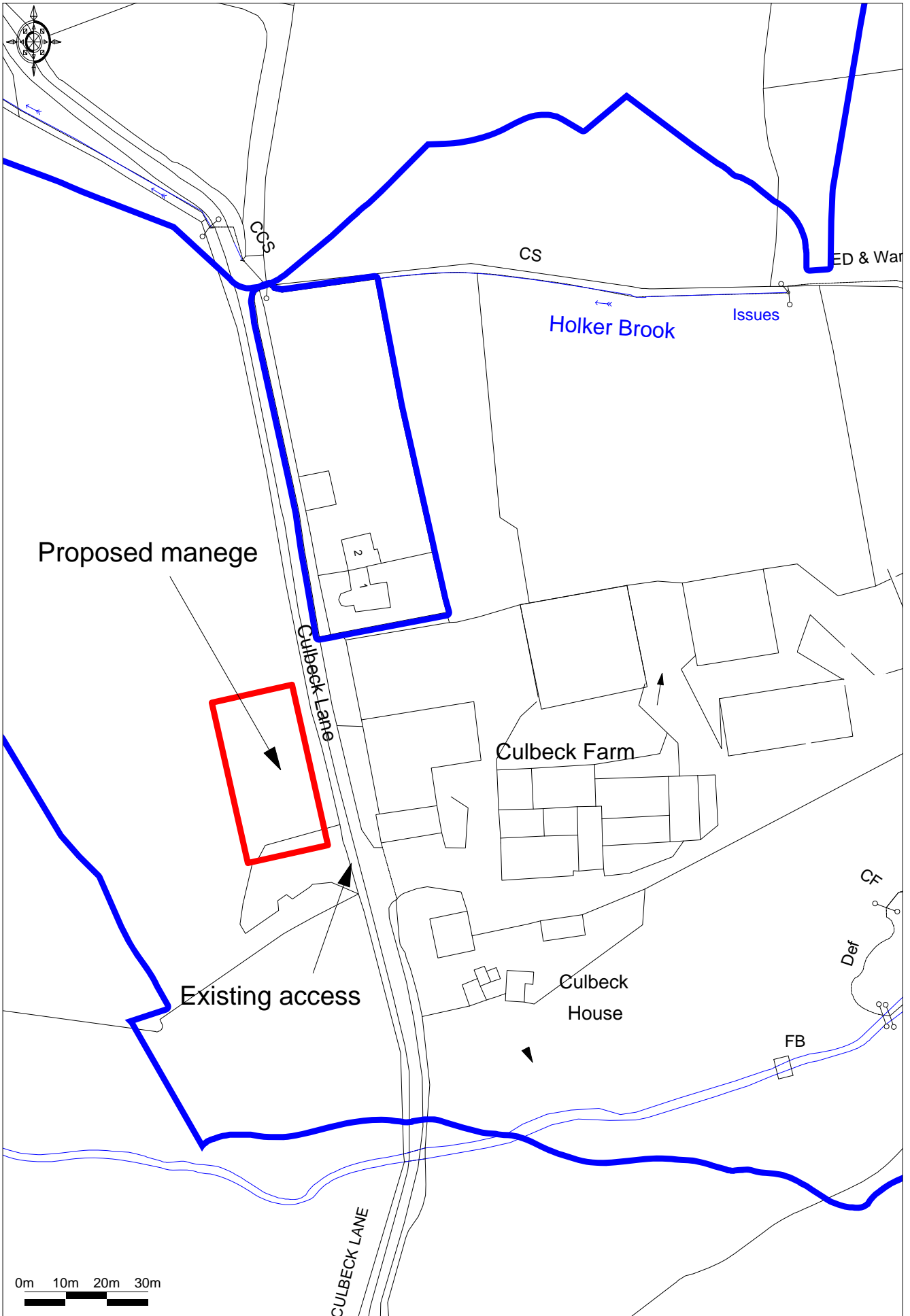
There have been several applications relating to development on the farm in recent years however none relating to a sand paddock.

Suggested Conditions

No.	Condition												
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>												
2.	The development hereby permitted shall be carried out in accordance with the following approved plans: <table border="1" data-bbox="320 1151 1303 1279"> <thead> <tr> <th data-bbox="320 1151 671 1182">Title</th> <th data-bbox="671 1151 1018 1182">Drawing Reference</th> <th data-bbox="1018 1151 1303 1182">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1182 671 1214">Site Plan (Rev 2)</td> <td data-bbox="671 1182 1018 1214">C458-10-RM</td> <td data-bbox="1018 1182 1303 1214">25th January 2016</td> </tr> <tr> <td data-bbox="320 1214 671 1245">Cross-section Elevations</td> <td data-bbox="671 1214 1018 1245">N/A</td> <td data-bbox="1018 1214 1303 1245">28th April 2016</td> </tr> <tr> <td data-bbox="320 1245 671 1279">Notes-Sand Paddock</td> <td data-bbox="671 1245 1018 1279">N/A</td> <td data-bbox="1018 1245 1303 1279">7th December 2015</td> </tr> </tbody> </table> <i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>	Title	Drawing Reference	Received date	Site Plan (Rev 2)	C458-10-RM	25 th January 2016	Cross-section Elevations	N/A	28 th April 2016	Notes-Sand Paddock	N/A	7 th December 2015
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Cross-section Elevations	N/A	28 th April 2016											
Notes-Sand Paddock	N/A	7 th December 2015											
3.	The development hereby permitted shall only be carried out in conformity with the proposed ground levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. <i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i>												
4.	The permission hereby granted is for the use of the sand paddock for the private riding of horses and ponies only. The sand paddock shall not be used for any business purpose in connection with the training or schooling of horse and pony riders or for the holding of any events, competitions, trials, horse/pony club meetings or gymkhanas and this permission does not imply or grant permission for installation of any system of external illumination or sound-amplification. <i>Reason: To define the permission and in the interests of the amenities of the occupiers of neighbouring properties and highway safety.</i>												
5.	Where use of the sand paddock hereby permitted for the authorised purposes ceases for a period exceeding 6 months within 10 years of its substantial completion it shall be removed from the field and the land restored to its former condition. <i>Reason: To avoid the proliferation of structures in the Green Belt for which there is not a continuing need.</i>												

6.	No source of external illumination or sound amplification shall be installed on the development hereby permitted. <i>Reason: To protect the open and rural character of the locality.</i>

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Item 3h	16/00336/FUL
Case Officer	Iain Crossland
Ward	Coppull Ward
Proposal	Erection of 5 no. two storey houses, 1 no. bungalow and 4 no. flats with associated car parking, access formation and landscaping
Location	Garages 30M North Of 1 Shelley Close Coppull
Applicant	Adactus Housing Group Ltd
Consultation expiry:	20 May 2016
Decision due by:	14 June 2016

Recommendation

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

Representations

Coppull Parish Council – No objection

In total 2 representations have been received objecting to the proposal on the following summarised grounds:

- The loss and relocation of car parking for existing residents would create inconvenience and would not be used
- Impact on highway safety
- Some residents would not be able to see their children using the play area from their homes as the new housing would restrict views
- The proposed development would encourage anti-social behaviour from unwanted persons hanging around and feeling it is ok to loiter/drink/take drugs/vandalise etc in the ginnel
- The proposed development would lower the tone, decrease house prices, and ruin the area.

Consultees

Consultee	Summary of Comments received
LCC Highways	No objection subject to appropriate conditions
GMEU Ecology Services	Raise no objection
United Utilities	No objection to the proposed development

AssessmentThe Site

1. The application site comprises a former garage colony, car parking area and amenity open space located within the settlement area of Coppull. The site is split into three parcels of land around the junction of Shelley Close, Dickens Road and Byron Crescent. There is an existing vehicular access to the former garage colony and car park.
2. The site consists of areas of hard standing and grassed areas and mounds. It is relatively level and open with some trees around the perimeter.
3. The site is bound by the west coast mainline railway to the east, public amenity space comprising grassed mounds and a play area to the north and residential development to the south and west. The area is characterised predominantly by residential dwellings in a variety of designs and styles, which result in a suburban character.

The Proposal

4. The proposed development is for the erection of 5 no. two storey houses, 1 no. bungalow and 4 no. flats with associated car parking, access formation and landscaping.
5. The proposed dwellings are of a modern design. There would be a row of three terraced houses, a building with two flats attached to a bungalow and a freestanding building with two flats on the Shelley Close garage and amenity site. There would two semi-detached dwellings on the corner of Shelley Close and Dickens Road, and a car parking area on the corner of Dickens Road and Byron Crescent.
6. There would be enclosed gardens to the rear of the properties, with car parking to the front and some landscaping.

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 3 – Impact on neighbour amenity
- Issue 4 – Impact on highways/access
- Issue 5 – Ecology
- 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. There is particular support for the provision of affordable housing in the Framework and through Policy 6 of the Central Lancashire Core Strategy.
9. Policy 1(d) of the Central Lancashire Core Strategy encourages some growth and investment to meet housing needs in Urban Local Service Centres such as Coppull.
10. The application site is located in the core settlement area of Coppull, 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.
11. This approach is reflected and supported in the National Planning Policy Framework (The Framework).

12. 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.
13. 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

14. The site is identified in the adopted Chorley Local Plan as Existing Open Space under Policy HW2.
15. The site is an existing area of open space split across two parcels, which were identified as amenity greenspace and assessed as part of the Open Space Study. They were subsequently allocated as open space in the adopted Chorley Local Plan 2012-26.
16. There is currently a deficit of amenity greenspace in Coppull and therefore the loss of further amenity greenspace would make this deficit worse.
17. The site is assessed as being high quality and high value in the Open Space Study.
18. The site serves no particular recreational need and largely consists of open grassed areas surrounding the former garage site and therefore performs a visual function. It is acknowledged that the site does make a contribution to the character of the area in terms of visual amenity, however, this is limited owing to the location of the site and sense of dereliction following the demolition of the garages.
19. In addition, it is also acknowledged that there may not be any suitable land available in Coppull 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 Coppull.
20. However, the proposed development would provide much needed affordable housing in a sustainable location, which is of benefit to the community. As such it is considered that the loss of the amenity green space at the site can be justified in this instance due to the benefits provided by the proposed development and the provision of a commuted sum for off-site improvements in the locality.
21. On the basis of the above any planning approval would therefore be dependent upon a section 106 agreement detailing and securing a commuted sum payment. The amount of open space to be lost is 1431 square metres. The commuted sum that would be required to replace this amount of amenity open space is £11,448 (1431 x £8).

Impact on the character and appearance of the locality

22. The proposal is for the erection of three terraced houses, a semi-detached pair and a bungalow, and four flats set within two units resembling detached houses. The proposed dwellings would be of a fairly standard modern design.
23. There is a consistent form of development in the immediate area of the site comprising short rows of terraced units that have front and rear gardens, with large areas given over to communal car parking. The dwellings themselves are of a fairly standard design faced in red/brown brick with roofs laid in red clay tiles.
24. Beyond the immediate area there is a range of property types and styles including detached dwellings and bungalows that have been developed more recently resulting in a mix of designs across the wider locality.

25. It is noted that the layout of the dwellings to the west side of Shelley Close are located in two staggered rows of terraces. The proposed dwellings at plots 9 and 10 would continue this pattern with a front elevation situated approximately 6.5m beyond the front elevation of the nearest terrace. The layout of the dwellings to the east side of Shelly Close is more consistent with a single terrace running at a slight angle to Shelley Close. Plots 4 to 8 would continue this form being positioned in line with this terrace and would be harmonious with the existing form of development. Plot 3 comprises a bungalow that would project from the front elevation of plots 4 and 5. This would be low level and fairly unobtrusive as a result. Its positioning would help to create a sense of enclosure within what is currently a very open and somewhat vacuous entrance to the close.
26. The siting of plots 1 and 2, which form two flats within a single unit, is rather unorthodox as it would sit within an island at the entrance to the close. Its positioning certainly helps to create some sense of enclosure for the new development and the existing close. Although this unit would appear isolated to some extent when viewed from Shelley Close, it may help to relieve the featureless and vacuous sense at this part of the estate as part of the overall proposed development. Its siting is not considered to be so harmful that it should be removed from the scheme or for the application to be refused on this basis.
27. The height and scale of the proposed dwellings and units would be similar to that of the existing properties in the immediate area, other than the bungalow, which is of a low level. Their design would be simple and modern and as such would complement the current appearance of the area.
28. The proposed development would not be out of keeping with the character and distinctiveness of the area in terms of its density and would balance with a relatively efficient use of land.
29. A car parking area would be created on the corner of Dickens Road and Byron Crescent. This is currently a lawn with the appearance of a garden. The formation of car parking spaces would involve hard surfacing part of this lawn and although this would detract from the soft edge provided by the current lawn the addition of hard surfacing for car parking would provide a useful facility for local residents without causing undue harm to the character of the area.
30. It is noted that the area of the demolished garages, which forms part of the site, currently results in a sense of abandonment, which detracts from the character of the area. It is acknowledged that an active use needs to be established on the site to address this. The proposal would result in the creation of new affordable dwellings with associated garden curtilage, parking areas and landscaping. 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.
31. The appearance of the overall development would not be unduly harmful in the street scene, and as a whole would be fairly well integrated, retaining the suburban residential character of the area.
32. The development is therefore considered to be in accordance with Policy BNE1 of the emerging Chorley Local Plan 2012 - 2026 and has overcome the concerns regarding the impact on the street scene.

Impact on neighbour amenity

33. Plots 9 and 10 located on the corner of Dickens Road and Shelley Close would be located approximately 2.7m from flats at 2 and 4 Shelley Close. There are windows to habitable rooms in the side elevation of 2 and 4 Shelley Close, which would face the rear gardens of plots 9 and 10. It is noted that there would be a window to a habitable room in the side elevation of plot 9 facing these flats. The window would not be parallel with any of the windows at 2 and 4 Shelley Close and would overlook the front garden only. As such there would be no unacceptable impact on privacy. The positioning of plot 9 to the north of 2 and 4 Shelley Close would not impact on the light or outlook of these dwellings.
34. Plots 9 and 10 would be located approximately 12.4m from flats at 1 and 3 Dickens Road. There would be windows to habitable rooms facing the rear elevation of plots 9 and 10. The degree of

separation and positioning are such that the impact on light and outlook would be acceptable. There would be no parallel facing windows to habitable rooms.

35. It is noted that there are windows to habitable rooms in the first floor elevations of 2 and 4 Shelley Close and 1 and 3 Dickens Road that would face plot 9. These would result in the rear garden of plot 9 being overlooked with a lesser degree of privacy than would normally be accepted. However, as the proposed development would be rented on an affordable basis it is considered that in this instance the benefits of providing affordable rented accommodation outweighs the harm that prospective tenants would experience through reduced privacy within the rear garden area. This is particularly so as any such prospective tenants would undertake to rent the unit in the full knowledge of those reduced levels of privacy, but would be benefitting directly from affordable rent.
36. Plot 8 would be positioned adjacent to 1 Shelley Close and would be approximately 3.5m from this property. It would be positioned in line with this property to the north side and as such would not impact on light or outlook. There would be no windows to habitable rooms in the side elevation and there would be no unacceptable impact on privacy in relation to 1 Shelley Close.
37. The relationship and interface between the proposed properties would be acceptable and meets with the Council's adopted standards. Boundary fencing would ensure privacy to rear gardens. It is noted that there is very little outdoor amenity space associated with the bungalow at plot 3. There are no adopted standards controlling this and it is acknowledged that such a unit would most likely be aimed at elderly residents with low garden maintenance requirements.

Impact on highways/access

38. The proposed development would result in the creation of five two bedroom dwellings and five one bedroom dwellings. This would require the provision of 15 off street car parking spaces. Off street car parking has been identified across the proposed site for 22 vehicles provided by designated parking spaces and communal parking areas. This meets with the adopted parking standards set out in policy ST4 of the emerging Chorley Local Plan 2012 – 2026.
39. It is noted that 7 surplus car parking spaces would be provided, which would offset those lost on the land at the corner of Dickens Road and Shelley Close. These would be available for use by any nearby residents or visitors.
40. The development would be accessed via an existing vehicle access which currently serves the garage site. This would be amended and extended to serve the site. The LCC Highways engineer has recommended that the width of the access at the junction with Dickens Road be reduced to improve pedestrian safety. An amended plan shows that the junction radii would be reduced to the recommended 6m width. This will be secured on site through a section 278 agreement.
41. Plots 9 and 10 would have parking with direct access to the highway. This is considered to be an acceptable solution given similar access arrangements in the area. The parking area on the corner of Byron Crescent and Dickens Road has been amended to allow for entering and exiting in a forward gear in accordance with LCC Highways advice and is considered to be acceptable.
42. It is noted that 2.0m wide footways have been added along a widened footway to link the existing footways of Shelley Close.
43. In considering the wider access arrangements, it is noted that there are a number of bus services available from Spendmore Lane within 400m of the site. This provides the benefit of realistic sustainable transport alternatives. There are also a number of amenities in the locality and within the local centre at Spendmore Lane, which can be accessed on foot. The location is therefore considered to be a sustainable one.
44. It is noted that there are no objections to the proposal in principle from LCC Highways and that all recommendations made by the Highway officer have been accommodated within the scheme. It is therefore considered that there would be no harm to Highway Safety as a result of the proposed development, and that the site is in an accessible location.

Ecology

45. The site is predominantly made up of amenity grassland, buildings / hardstanding, and scattered trees. As such the site as a whole is of low ecological value and is a typical previously developed and grassed suburban site.
46. There are no tree species on site which are afforded statutory protection or are worthy of protection under a tree preservation order (TPO). Trees to be retained on site should be protected during any site clearance and construction works through the use of root protection areas.
47. The hedges and scrub on site have potential to be used by foraging and breeding birds, and therefore any removal of such vegetation should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person. A condition is recommended to secure this.
48. The application site is not of substantive ecological value. It is not designated for its nature conservation value and is considered to have only low potential to support any specially protected species or habitats.

Section 106 Agreement

49. 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. The applicant has submitted a viability assessment that demonstrates only a small profit would have been made after 30 years after taking into account all the building costs, fees, management, voids, rents during that period. After that time, the development would be ready for refurbishment. On that basis a contribution towards POS would damage the viability of the scheme to such an extent that the development would be unviable. This report has been assessed and corroborated by the Council's Property Services team. On this basis it is considered that a contribution towards the provision or improvement of public open space (POS) should be waived in this instance.
50. The proposal involves the loss 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 b) of policy HW2 because there is a deficit of such provision in Coppull, or criterion c) as the site was assessed as high quality and high value in the Open Space Study. Therefore, in order to satisfy this policy, alternative provision is required under criterion a).
51. 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 in line with policy HW2 of the Chorley Local Plan 2012 – 2026.

CIL

52. The proposed development is CIL chargeable, however, social housing relief has been sought on the basis that the development is for affordable rented housing.

Sustainable Resources

53. 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:
54. *"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."

55. *"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."*
56. The applicant has submitted a viability assessment that demonstrates only a small profit would have been made after 30 years after taking into account all the building costs, fees, management, voids, rents during that period. After that time, the development would be ready for refurbishment. On that basis developing to a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations would damage the viability of the scheme to such an extent that the development would be unviable. This report has been assessed and corroborated by the Council's Property Services team. On this basis it is considered that the imposition of a condition requiring all the new dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations can be waived in this instance.

Other matters

57. Some residents have commented that they would not be able to see their children using the play area from their homes as the new housing would restrict views: This is not a material planning consideration.
58. Concerns have been expressed that the proposed development would encourage anti-social behaviour from unwanted persons hanging around and feeling it is ok to loiter/drink/take drugs/vandalise etc in the ginnel: There is already an existing ginnel to the rear of number 1 to 7 Shelley Close, which can be accessed currently. The presence of additional dwellings is likely to deter loitering through additional surveillance.
59. Objections have also been made that the proposed development would lower the tone, decrease house prices, and ruin the area: It is not considered that the proposed development would lead to any degeneration of the local area. There is no evidence to support the theory that house prices would be devalued as a result of the proposed development and this is not a material planning matter in any case.

Overall Conclusion

60. The proposed development would have the benefit of providing new affordable housing in a sustainable location. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would not cause unacceptable harm to appearance of the site and character of the area. In addition adequate parking is provided. The retention of the public open space is not considered to be a necessity in this instance on the basis that the loss is offset by alternative provision or improvement secured through an off-site contribution. On the basis of the above, it is recommended that planning permission be granted.

Planning Policies

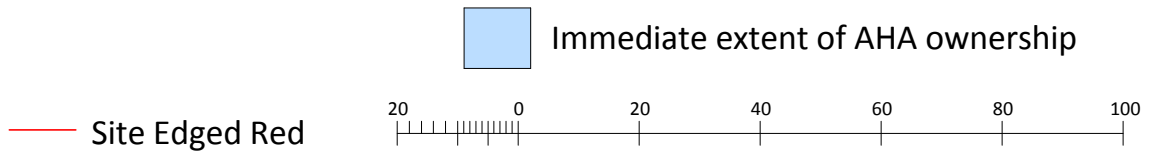
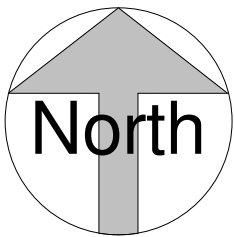
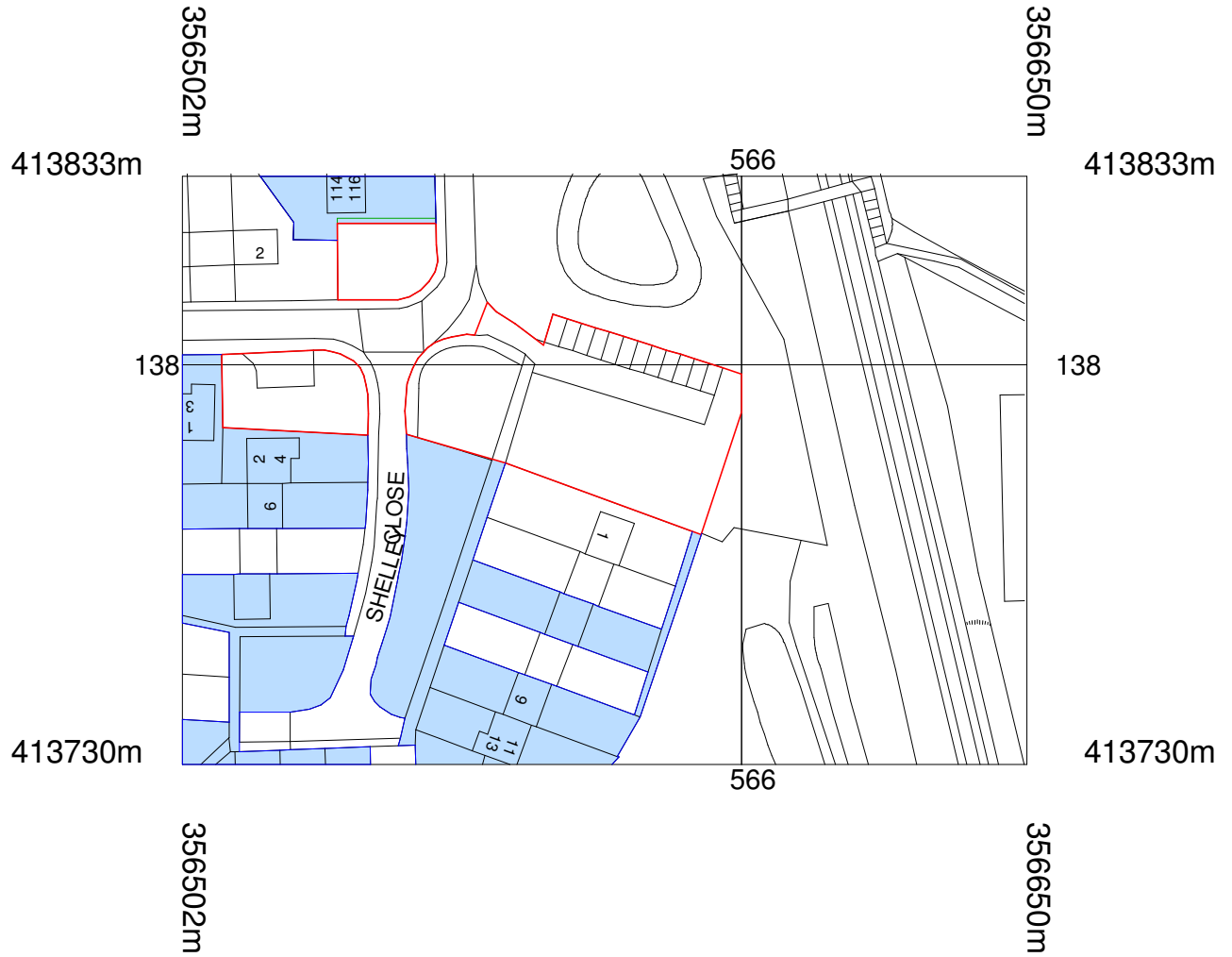
In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations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

Suggested Conditions

Conditions to follow on addendum



1	01/04/16	BLB	AHA ownership clarification.
Rev	Date	Int	Description



RIBA 
Chartered Practice

Client:
Adactus Housing Association

Project:
Shelley Close, Chorley

Job No:
2881

Scale @ A4:
1 : 1250

Description:
Location Plan

Drawn By: BLB Checked By: VJS Date: 03/12/15 Status Code: S2 Drawing No: **P100** Rev: **1**

Purpose of Issue:
Planning

File Identifier:
SC-BTP-00-LP-DR-A-2881_P100.1

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