

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 26TH JULY 2016, 6.30 PM

COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 21 JUNE 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 twelve 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 16/00290/FULHH - 125 THE FARTHINGS, ASTLEY VILLAGE, PR7 1SH**

(Pages 7 - 16)

- B 14/00881/FUL - BRINSCALL HALL FARM, DICK LANE, BRINSCALL**

(Pages 17 - 30)

- C 16/00365/FUL - LANESIDE FARM, BROWN HOUSE LANE, HIGHER WHEELTON, CHORLEY, PR6 8HR**

(Pages 31 - 42)

- D 16/00332/ADV - RETREAT RESTAURANTS, 19 CHURCH STREET, ADLINGTON, CHORLEY, PR7 4EX**

(Pages 43 - 48)

E	16/00350/FUL - RETREAT RESTAURANTS, 19 CHURCH STREET, ADLINGTON, CHORLEY, PR7 4EX	(Pages 49 - 56)
F	16/00351/LBC - RETREAT RESTAURANTS, 19 CHURCH STREET, ADLINGTON, CHORLEY, PR7 4EX	(Pages 57 - 64)
G	16/00192/FULMAJ - THE ARTS PARTNERSHIP, CHORLEY COMMUNITY CENTRE, RAILWAY STREET, CHORLEY, PR7 2TZ	(Pages 65 - 74)
H	16/00213/FULMAJ - ADLINGTON HALL FARM, THE COMMON, ADLINGTON, CHORLEY, PR7 4DT	(Pages 75 - 84)
I	16/00522/P3PAO - ORCHETON HOUSE FARM, WOOD LANE, HESKIN, CHORLEY, PR7 5PA	(Pages 85 - 92)
J	16/00374/FULMAJ - LAND 80M NORTH OF SWANSEY LANE AND BOUNDED BY THE ELMS, SWANSEY LANE, WHITTLE-LE-WOODS	(Pages 93 - 102)
K	16/00303/FULMAJ - GRUNDYS FARM, CLOVER ROAD, CHORLEY, PR7 2NL	(Pages 103 - 118)
L	16/00390/FUL - LYONS LANE, CHORLEY, PR6 0PJ	(Pages 119 - 126)
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 Counce, 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, 21 June 2016

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

OFFICERS: Asim Khan (Director (Customer and Digital)), Zoe Whiteside (Development and Regeneration Manager), Paul Whittingham (Planning Services Manager), Ian Heywood (Senior Planner (Conservation)), Alex Jackson (Legal Services Team Leader) and Nina Neisser (Democratic and Member Services Officer)

APOLOGIES: Councillors Aaron Beaver and Tom Gray

16.DC.198 Minutes of meeting Tuesday, 24 May 2016 of Development Control Committee

RESOLVED – That the minutes of the Development Control Committee held on 24 May be approved as a correct record for signature by the Chair.

16.DC.199 Declarations of Any Interests

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

16.DC.200 Planning applications to be determined

The Director of Customer and Digital submitted ten 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: Paul Graveney (Agent).

RESOLVED (9:3:1) – That full planning permission be approved, subject to the condition that the development would have no adverse impact on 1 Out Lane and the surrounding properties.

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

Registered Speaker: Paul Graveney (Agent)

RESOLVED (9:3:1) – That full planning permission be approved, subject to the condition that the development would have no adverse impact on 1 Out Lane and the surrounding properties.

c 16/00152/FUL - Town Lane Farm, Town Lane, Whittle-le-Woods

Members were advised that an appeal against non-determination of the application was submitted and as such it was no longer open for Member's to determine the application. However, it was recommended that Member's indicate that they were minded to approve the application.

RESOLVED (12:0:1) – Members indicated that they would be minded to approve the application.

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

RESOLVED (12:0:1) – That planning permission be approved, subject to conditions regarding the number of car parking spaces and the associated legal agreement.

Councillor Mick Muncaster left the room.

e 16/00298/FULMAJ - Long Stay Car Park, Fleet Street, Chorley

Councillor Mick Muncaster returned as the objector began to address members.

Registered speakers: Chris Snow (objector) and Zoe Whiteside and Gareth Jackson on behalf of the Council (applicants)

RESOLVED (12:0:1) – That full planning permission be approved, subject to conditions.

f 16/00102/FUL - Land Opposite 71 Church Lane, Charnock Richard

RESOLVED (12:1:0) - That full planning permission be approved, subject to conditions.

g 15/01203/FUL - Culbeck Farm, Culbeck Lane, Euxton, Chorley, PR7 6EP

RESOLVED (12:0:1) – That full planning permission be approved, subject to conditions.

h 16/00336/FUL - Garages 30M North Of 1 Shelley Close, Coppull

Registered Speaker: Manny Atkinson (Agent)

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

i 16/00290/FULHH - 125 The Farthings, Astley Village, Chorley, PR7 1SH

Registered speakers: Councillor Mark Perks (Ward Councillor) and Alison Featonby (Applicant).

RESOLVED (7:5:1) – That the decision be deferred to allow members of the Development Control Committee the opportunity to visit the site of the proposals.

j 16/00397/S106A - Group 1, Euxton Lane, Euxton

RESOLVED (unanimously) – That the application be approved and the terms of the Section 106 Agreement be amended.

16.DC.201 Appeals and other decisions

This item was withdrawn due to a technical issue.

16.DC.202 Any urgent business previously agreed with the Chair

Paul Whittingham, Planning Services Manager, updated Members about an upcoming Member Learning Session with Lancashire County Council regarding highways. Members were informed that they would receive further information via Democratic Services once a date was confirmed and any questions they wish to address at the session may be submitted prior to this.

Chair

Date

Item 3a	16/00290/FULHH
Case Officer	Thomas O’Kane
Ward	Astley and Buckshaw
Proposal	Erection of first floor extension with part single part two storey rear extension
Location	125 The Farthings, Astley Village, PR7 1SH
Applicant	Mrs A Featonby
Consultation expiry:	1st June 2016
Decision due by:	21st June 2016

UPDATE

Members deferred determination of this application at the Committee meeting on 21 June 2016 for a site visit to be made. This is scheduled for Wednesday 20th July at 18:00.

Please note that the addendum report for the Committee meeting of 21 June 2016 reported that 2 further letters of objection had been received raising matters that had already been considered as part of the planning assessment.

PREVIOUS REPORT

Recommendation
Permit Full Planning Permission

Executive Summary

The main issues to consider are whether the proposal is acceptable in terms of its impact on the character of the existing house and the wider area, the amenities of neighbouring properties and highway safety. While the existing bungalow would be remodelled to include an additional storey, it would not be out of character with the wider area due to the mix of dwelling types within the surrounding area. The amenity of neighbouring properties is not proposed to be unduly impacted upon.

Representations

Astley Village Parish Council – No comments received	
Objection	Not specified: 1
Total No. received: 5	Total No. received:
<ul style="list-style-type: none"> • Out of character with the wider area • The proposals are a remodelling of house rather than extension; • Concerns over delivery and siting of building materials and vehicles during construction; • Concerns over impact on designated children’s play area; • Concerns over parking following increase in bedrooms; • Overdevelopment; • Narrowness of access leading towards the dwelling – therefore potential for damage to properties during construction works; • Noise and dust during construction; • Lack of privacy; • Loss of sunlight; • Overbearing; and • Departure from planning policy. 	<ul style="list-style-type: none"> • Concern over parking for a 5 bedroom property

Consultees

Consultee	Summary of Comments received
Coal Authority	Standing Advice
Parish Council	None Received to Date

The Site

1. The application site is at the end of a cul-de-sac off The Farthings, Astley Village. The application site is enclosed to the north by the cul-de-sac, to the south by a wood which buffers the development from A581, to the east by no, 123 The Farthings and to the west by a public footpath and landscaping.
2. The application property is a detached red brick bungalow set off the cul-de-sac with hardstanding at the front, with an attached single garage and a rear garden.
3. The area is characterised by a mix of residential properties, including both bungalows and multi-storey dwellings.

The Proposal

4. Planning permission is sought for the erection of a first floor extension and part single part two storey rear extension, following the demolition of conservatory at the rear.
5. The first floor extension would be above the original footprint of the bungalow (with the exception of the garage). The height of the property to the eaves would increase from 2.72 to 5.11 metres (an increase of 2.39 metres) and to the ridge from 4.70 to 7.15 (an increase of 2.45 metres). The garage footprint and the roofscape on the host dwelling would remain as existing.
6. The two storey extension would be built at the rear of the property following the demolition of the existing conservatory. It would have a maximum projection of 5.10 metres; however the two storey element would only project 3.30 metres in length. The width of the proposed extension would have a width of 6.95 metres. The height to the eaves, ridge and roofscape would match the host dwelling at two storey. The single storey rear extension would have a height to the eaves of 2.35 metres, height to the ridge of 3.58 metres and a sloping roof.

AssessmentPrinciple of the development

The main issues are as follows:

Issue 1 – impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on parking provision and highway safety

Impact on character and appearance of locality

7. *Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.*
8. *Policy BNE1 of the Adopted Chorley Local Plan 2012-2026 states that the proposal must not have a significantly detrimental impact on the existing building, neighbouring buildings or on the street scene by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, materials, orientation, use of materials.*
9. The proposals would add an additional storey to the host dwelling, making it a two storey dwelling (with the exception of the garage). While this would increase the height of the property, the materials and roofscape would match the host dwelling.
10. The only increase in footprint is at the rear of the property through the two storey extension, which would be obscured from view of the streetscene.
11. The host dwelling is not of special architectural merit, is not Listed or within a Conservation Area.
12. Officers acknowledge that bungalows do not predominate in this area, with a mixture of housing designs and examples of two storey houses in the immediate locality on The Farthings (notably Nos 117, 199 and. 121)

13. The proposals would maintain at least 1.50 metres with the common boundary with no.123, therefore above the 1 metre required in the Householder Design Guidance SPD.
14. Therefore in regards to impact on character and appearance in the locality, the proposals are acceptable.

Impact on neighbours

15. *HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.*
16. *The Householder Design Guidance SPD asserts that extensions should not result in unacceptable harm to the amenity of neighbouring occupiers. It states that rear extensions do not project more than 3m beyond a 45 degree line drawn from the near edge of any ground floor rear facing window to a habitable room in a neighbouring house. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties.*
17. *For two storey rear extensions, these should not cross a 45-degree line drawn from the near edge of any ground floor rear facing window to a habitable room in a neighbouring dwelling.*
18. *In addition, it states that extensive overshadowing of a neighbouring building or amenity space is unacceptable. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties.*
19. In respect of the first floor extension, it would introduce new outlooks at the rear; however these would face towards the woods.
20. Proposed 'Bedroom 2' and 'Bedroom 4' would have an outlook which would face towards the common boundary of Ackhurst House, which is located on the A581. It is of note that this neighbouring property is not adjoining. The distance from these outlooks to the common boundary would be close to 13.80 metres, which is above the interface distance of 10 metres required from habitable rooms at first floor level looking towards neighbouring common boundaries.
21. No. 104 The Farthings, which is the closest property on the estate to Bedroom 2 and 4, would also be set back 13.80 metres, albeit at an oblique angle to the applicant's property.
22. Proposed 'Bedroom 3' and 'Bedroom 5' would face out towards the cul-de-sac, with no properties located within 21 metres of these outlooks.
23. No principal outlooks are proposed on the gable elevation facing No. 123; however there is a secondary outlook for an open plan kitchen/living room on the ground floor and a bathroom at first floor. These are to be obscure glazed to prevent any overlooking to this property and will be secured via condition.
24. There is a secondary outlook for the proposed 'Snug' facing no. 123, however it is acknowledged that this outlook already exists for the existing 'Bedroom 1'. A new en-suite bathroom window is located above, which will also be obscure glazed and secured via condition.
25. With regards to the two storey extension at the rear, this would not project beyond a 45 degree angle from the near edge of the conservatory window at No, 123. With regards to the single storey extension, the extension at single storey would not project more than 3 metres from a 45 degree line from the same point. In addition, the proposals are not located to the south of this property. Therefore the proposals would not have an undue loss of light, loss of privacy or overbearing impact on the neighbour property.
26. Therefore in regards to amenity, the proposals are acceptable.

Impact on parking provision highway safety

27. Policy HS5 of the adopted Chorley Local Plan 2012 – 2026 states that permission will be granted provided that the proposal does not have an unacceptable adverse effect on highway safety. In addition, the Householder Design Guidance SPD states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages. It also states that car parking spaces occupy a space of 2.5 metres by 5.5 metres and spaces in front of a garage should be 2.5 metres by 6 metres.
28. The property has a garage which matches the above standards with hardstanding at front to provide an additional two spaces. In this instance, it is considered that the proposal would not cause any significant harm to highway safety and accords the policy ST4 of the Chorley Local Plan 2012 – 2026.

Other Matters

29. An informative citing the Coal Authority standing advice will be placed on the decision notice.
30. Concerns were raised over the impact of the development on the children’s play area; parking and siting of building materials during construction; noise and dust during construction and the narrow access to the dwelling, these are not material planning considerations for the determination of this planning application. These impacts are associated with most development but in this instance it is not considered necessary to impose conditions to control noise and dust due to the size and type of development proposed and the likely duration of the build phase.
31. The remaining concerns raised by the objectors are planning considerations; however the proposals (with appropriate mitigations such as obscure glazing) are considered compliant with the Chorley Local Plan policies BNE1, HS5 and ST4, as identified in the above assessment.

Overall Conclusion

32. The proposed development would not result in any significant harm to the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents. The proposed development would therefore be in accordance with Policies BNE1 and HS5 of the Chorley Local Plan 2012-2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application be approved.

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

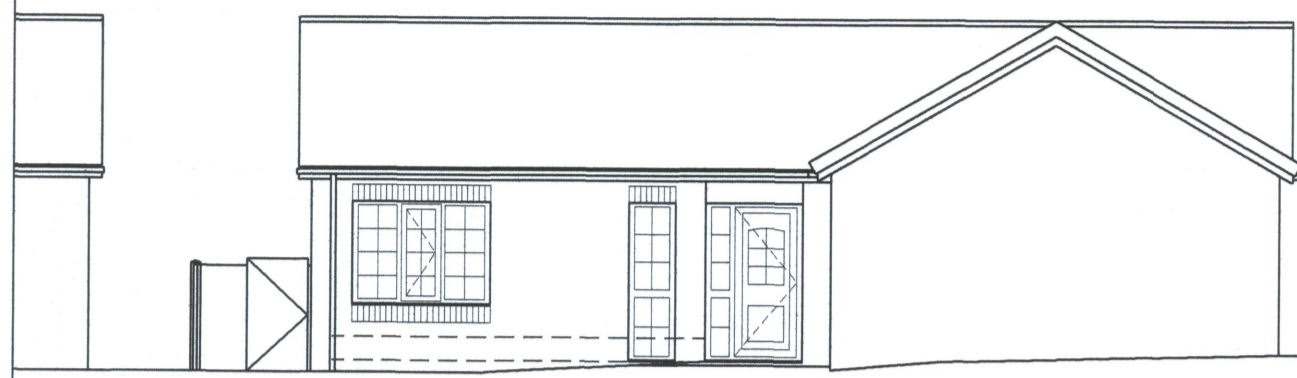
Reference	Description	Decision	Date
09/00387/FULH	Proposed rear conservatory	PERFPP	7 th July 2009

Suggested Conditions

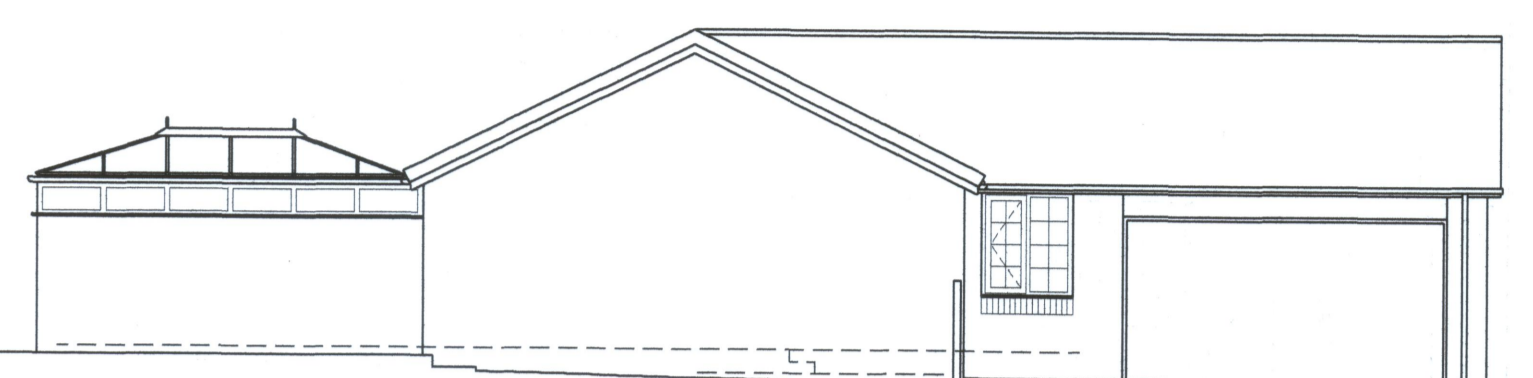
No.	Condition
1.	The proposed development must be begun not later than three years from the date of this permission. <i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i>

<p>2.</p>	<p>All external facing materials for the walls, roof and windows shall match in colour, form and texture those on the existing building.</p> <p><i>Reason: In the interests of the visual amenity of the area in general and the existing building in particular</i></p>												
<p>3.</p>	<p>The approved plans are:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%;">Title</td> <td style="width: 33%;">Plan Ref.</td> <td style="width: 33%;">Received on:</td> </tr> <tr> <td>Survey of Existing, Site Plan and site location plan</td> <td>15-07-100</td> <td>29th March 2016</td> </tr> <tr> <td> </td> <td></td> <td></td> </tr> <tr> <td>Proposed Layout</td> <td>15-07-101</td> <td>29th March 2016</td> </tr> </table> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>	Title	Plan Ref.	Received on:	Survey of Existing, Site Plan and site location plan	15-07-100	29 th March 2016	 			Proposed Layout	15-07-101	29 th March 2016
Title	Plan Ref.	Received on:											
Survey of Existing, Site Plan and site location plan	15-07-100	29 th March 2016											
Proposed Layout	15-07-101	29 th March 2016											
<p>4.</p>	<p>The proposed ground floor window ('Sunroom/Kitchen') on the south east elevation facing No. 123 The Farthings, the first floor window on the south east elevation ('Bathroom') and first floor window above proposed 'Snug' ('Ensuite') facing No. 123 The Farthings shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p> <p><i>Reason: In the interests of the privacy of occupiers of neighbouring property.</i></p>												

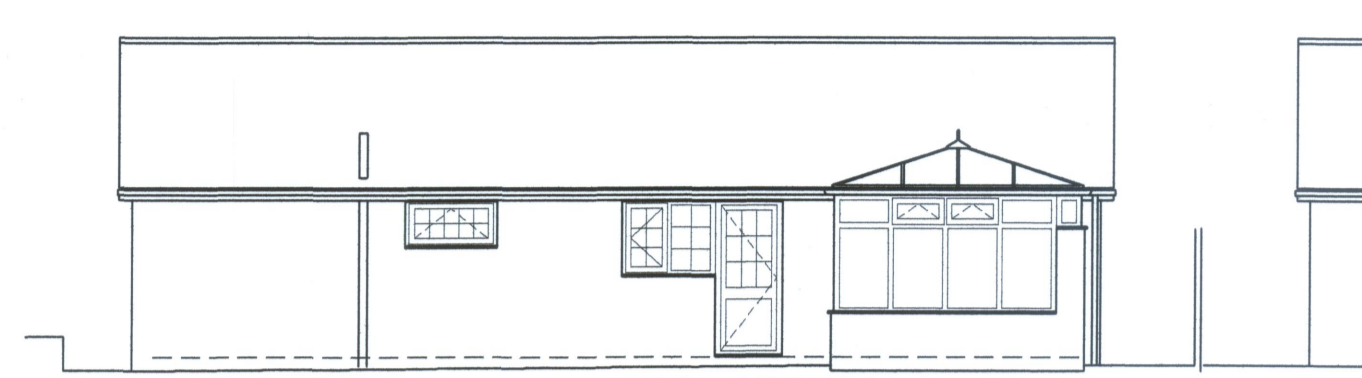
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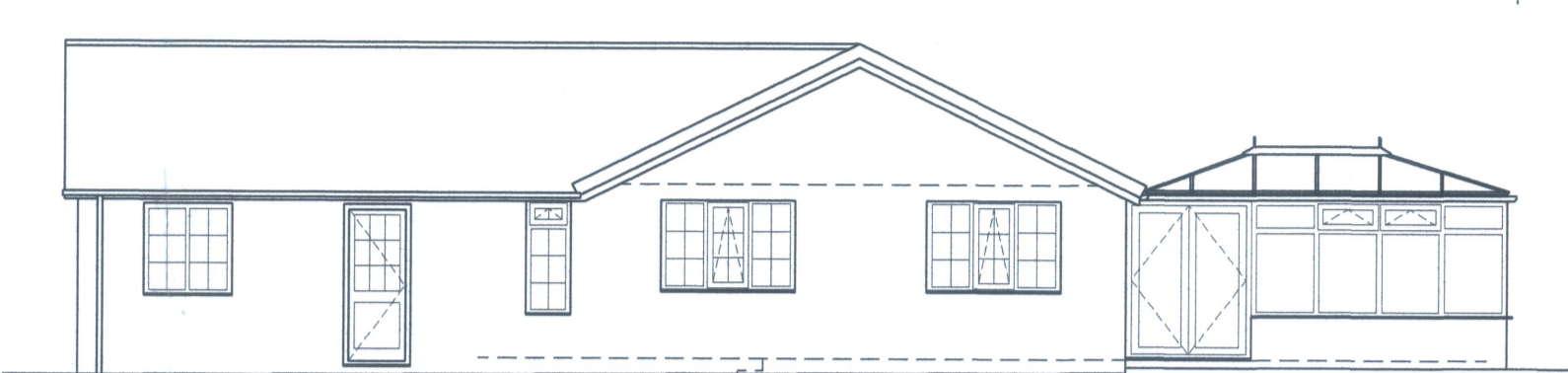
EXISTING FRONT ELEVATION
SCALE 1:100



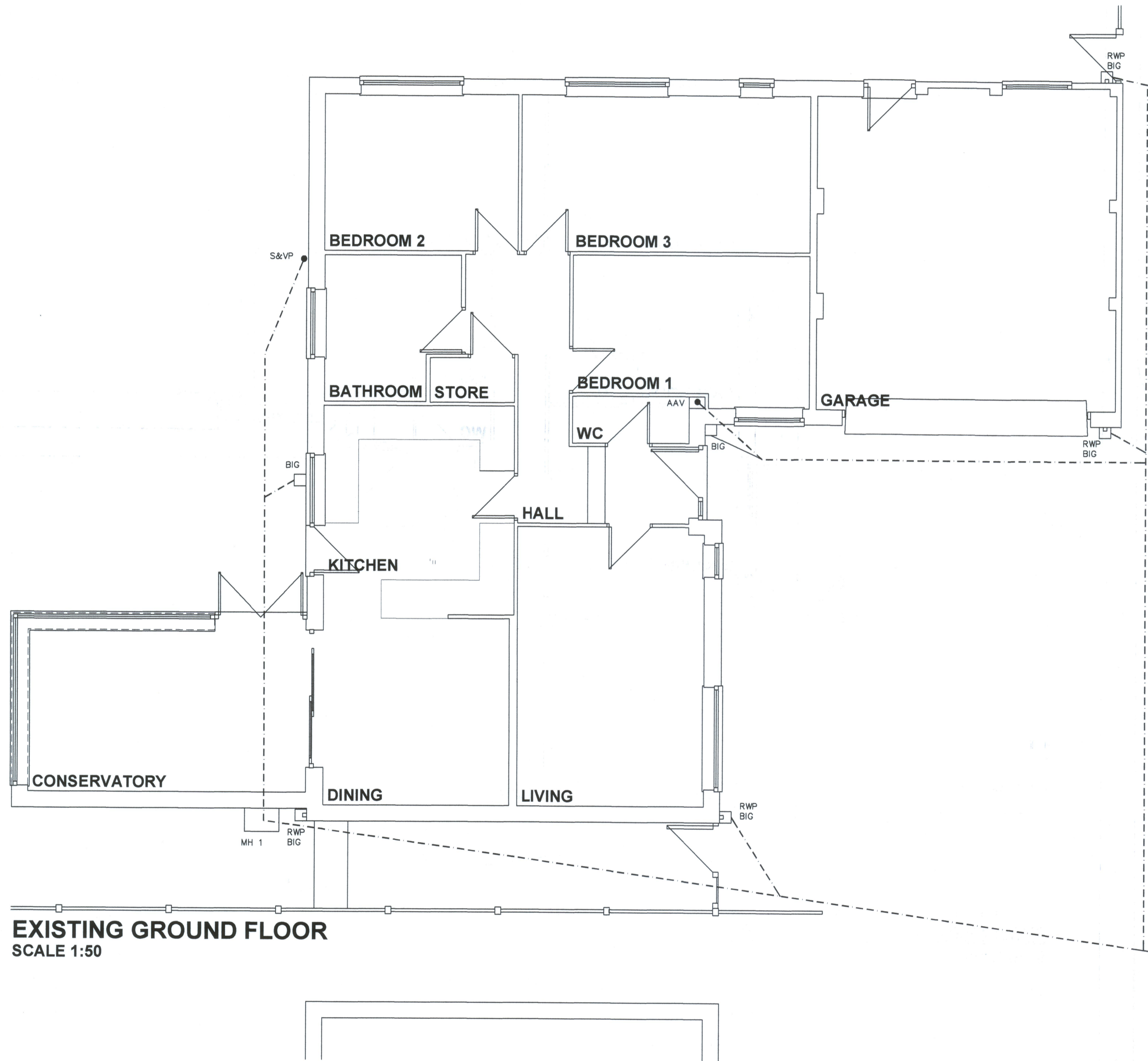
EXISTING SIDE ELEVATION
SCALE 1:100



EXISTING REAR ELEVATION
SCALE 1:100



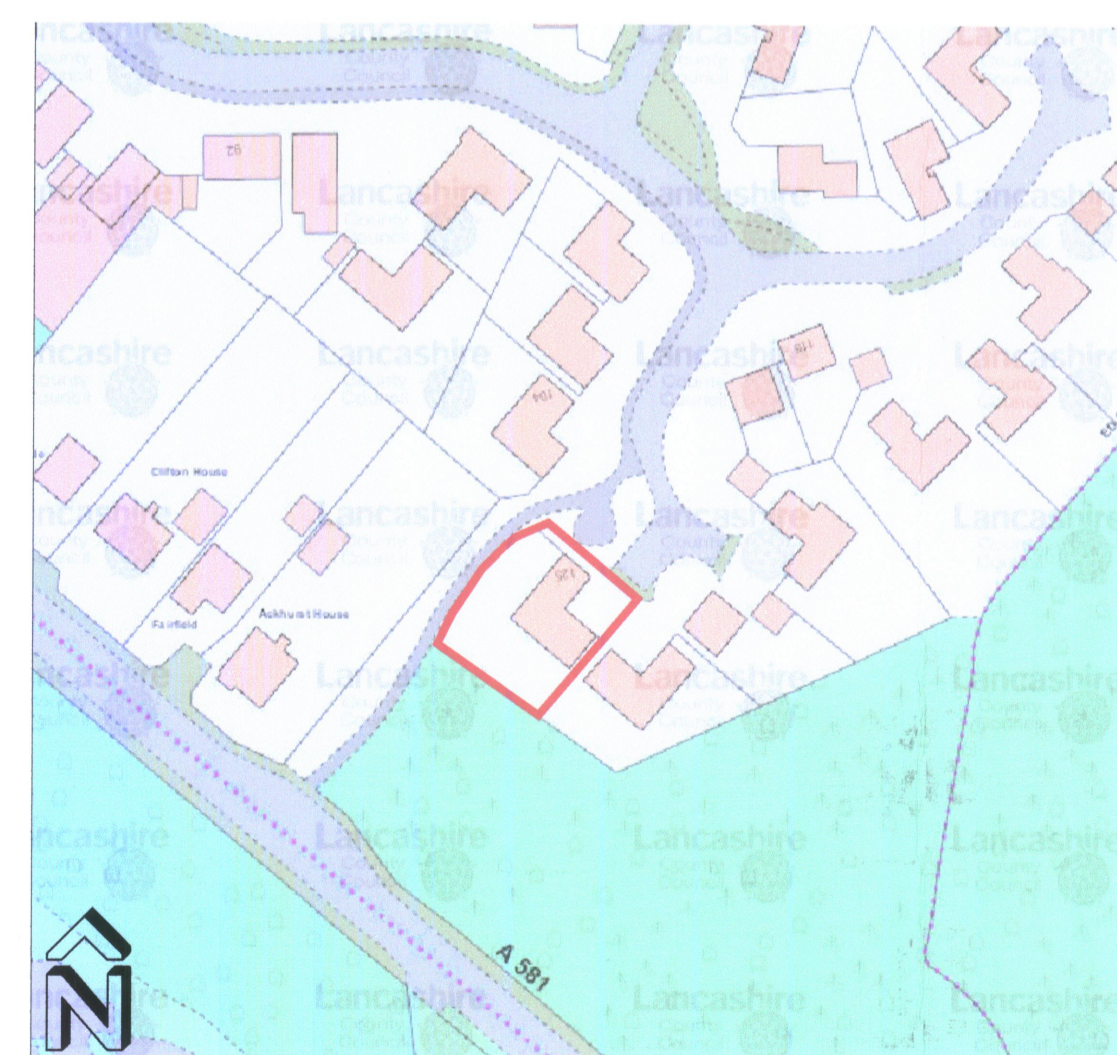
EXISTING SIDE ELEVATION
SCALE 1:100



EXISTING GROUND FLOOR
SCALE 1:50

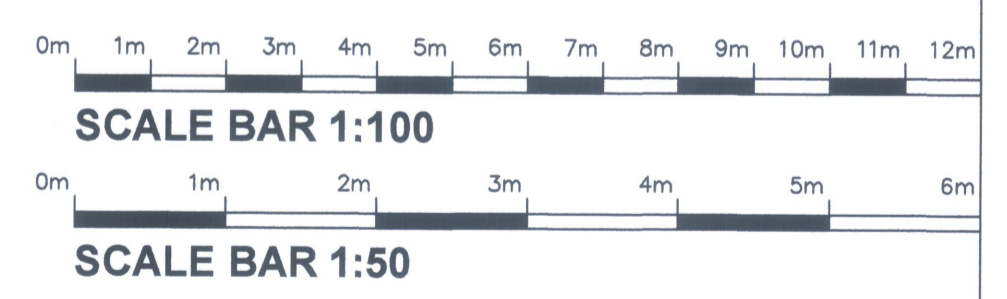


SITE LAYOUT PLAN
SCALE 1:500



SITE LOCATION PLAN
SCALE 1:1250

16/00290 (FULL HH)
CHORLEY COUNCIL
DEVELOPMENT CONTROL
REC'D 29 MAR 2016
FILE DC PLAN
ACK'D
ATTEN OF EXISTING + LOC PLAN
COPIES TO



REV	DATE	REVISIONS
ADDRESS FIRST FLOOR EXTENSION AT 125 THE FARTHINGS, ASTLEY VILLAGE, PR7 1SH		
CLIENT Mrs FEATONBY		
DRAWING TITLE SURVEY OF EXISTING, SITE PLAN AND SITE LOCATION PLAN		
SCALE	DATE	
1:50 & 1:100 (A1)	10/12/15	
DRAWING NUMBER	REVISION	
15-07-100		

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Item 3b	14/00881/FUL
Case Officer	Ian Heywood
Ward	Wheelton & Withnell
Proposal	Conversion of redundant barns to form 6 no. dwellings including demolition of livestock building and part of existing barn, construction of rear extension to one barn, extension of existing garage, creation of associated vehicular parking areas and creation of three vehicle passing places (two entirely new and one existing to be improved/enlarged) on Dick Lane.
Location	Brinscall Hall Farm Dick Lane Brinscall
Applicant	Mr Muntzer Mughal
Consultation expiry:	10/12/2014
Decision due by:	04/11/2014

Recommendation

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

Update

Members are reminded that they previously resolved to granted planning permission, subject to a legal agreement securing a financial contributions for open space and affordable housing on 20th January 2015.

Since then the applicant has supplied information on the viability of the proposed development in terms of the value of the completed dwellings and the costs of the conversion scheme as permitted. These have been independently and robustly assessed by the Council, using independent valuers and surveyors. Whilst some variation exists between the applicant's and the Council's figure, the overall conclusion is that the proposed development is not financially viable.

The application is therefore recommended for approval without a legal agreement.

Members should note that the development remains liable for the Community Infrastructure Levy (CIL).

Members will also be aware that since the last report was considered the Chorley Borough Local Plan Review (2003) has been superseded by the now adopted Chorley Local Plan 2012 – 2026. Previously the scheme was assessed against both the Local Plan Review 2003 and the then emerging Local Plan 2012-2026 and found to be compliant with the relevant policies. There have been no significant changes to these and the application is still considered to be in accordance with the now adopted policies of the Local Plan.

Representations

Councillor Kim Snape – objects to the proposal on the grounds of increased traffic, harm to the amenity and character of the area and problems that will arise from inadequate drainage and subsequent surface water flooding.
Councillor Gordon France - objects to the proposal on the grounds of increased traffic, harm to the amenity and character of the area and problems that will arise from inadequate drainage and subsequent surface water flooding.
Councillor Margaret France - objects to the proposal on the grounds of increased traffic, harm to the amenity and character of the area and problems that will arise from inadequate drainage and subsequent surface water flooding. She requested that the Development Control Committee defer the application for a site visit before making a decision.
Withnell Parish Council: Objects to the proposal on the grounds that it will cause undue highway hazards for the users of Dick Lane, harm to the amenity thereof and requests that a site visit is required before the application can be determined.
In total 79 representations have been received which are summarised below
Objections
Total No. received: 79
<ul style="list-style-type: none"> • Impact of additional traffic – highway hazards • Over development • Surface water drainage issues • Impact on the appearance of Dick Lane • Impact on neighbour amenity • Unsustainable location • Impact on the character of the buildings • Buildings still capable of agricultural use

Consultees

Consultee	Summary of Comments received
Lancashire County Council Highways	No objections, subject to conditions
Lancashire County Council Ecology	No objections subject to conditions
Lancashire County Council Rights of Way Officer	No comments received
The Ramblers Association	No comments received
Chorley Council Planning Policy	See the body of the report

Description of the site

1. The site is located within the Green Belt in a rural situation to the south west of the village of Brinscall and positioned at the south western extremity of Dick Lane to the north west of Brinscall Hall (itself a Grade II listed Building and therefore a designated heritage asset as defined by Annex 2 to the Framework). The site is surrounded on the remaining three sides to a large extent by open countryside. To the immediate north east is Brinscall Hall Farm farmhouse. Immediately between Brinscall Hall and the application site are two residential properties – Brinscall Hall Bungalow and The Coach House.
2. Brinscall Hall Bungalow (which was originally an outbuilding – a boiler house to Brinscall Hall) and its associated curtilage structure referred to by the current occupant of the property as ‘the grotto’ (the remains of a small swimming pool that served Brinscall Hall) directly abuts a south eastern boundary wall, a party wall, to the application site.
3. 83 metres to the east of the application site are located two further dwellings, Brinscall Hall Cottages.
4. All the aforementioned buildings are constructed of local stone.
5. Dick Lane is a single-track, partly unadopted, road that splits into two access tracks, one turning to the north west to serve Brinscall Hall Cottage, Brinscall Hall Farm farmhouse and barns and to the south east to serve the Coach House and Brinscall Hall itself and the new site of Brinscall Hall Farm. The trees that line either side of Dick Lane are protected by a Tree Preservation Order.
6. All the trees within the surrounding area are protected by Tree Preservation Orders
7. Three public footpaths cross the site, one running in a north east – south west direction is FP 4, one other running in a north west – south east direction is FP 22, whilst the third is FP 29 which runs along Dick Lane.
8. Land to the south west of the site is part of the Brinscall Hall estate and here the countryside is open. The whole site is in a relatively elevated position, the footpaths that dissect the site affording long distance views to the south west and west.
9. Currently the site is comprised of four agricultural buildings. These are a substantial two-storey height barn, which is currently linked by a covered area with a substantial shippon. At the south eastern extremity of the site is large, modern covered cow shed. Immediately opposite the barn is located a garage building that is approximately the size of a modern 4 car garage. There are currently large areas of concrete hardstanding both between and within the buildings and the site is set over ground levels that fall from the north east to the south west.
10. To the south west of the shippon the land is grassed and has a stone wall to its perimeter. Views of the site from countryside to the south west and west is largely obscured by this wall and by trees within the Brinscall Hall estate.
11. Farming operations ceased some years ago when the buildings were sold to the current owner. Farming operations subsequently transferred to another part of the then agricultural holding. The current buildings are thus divorced from the agricultural land that they previously served.

Assessment**Update**

12. Following comments made at the Development Control Committee meeting of 28 October 2014 a site meeting was arranged for 14 January 2015. Following that Committee meeting and discussions between the case officer and the agent the proposed scheme has been amended.
13. Amended plans were received on 9 December 2014 which shows the following amendments to the scheme as previously considered by Members of the Development Control Committee on 28 October 2014:
 - a. Deletion of the proposed 4-car garage block;
 - b. Deletion of the electric gates at the entrance to the site;
 - c. Provision of bin storage facilities within each proposed property boundary and the

deletion of the household waste bin store facility within the proposed extension to the existing garage. The proposed extension to the existing garage is retained but only for use as general domestic ancillary storage accommodation – not for bins – and also in connection with the proposed ecological mitigation – bat roosts.

- d. Additional details supplied for the formation of three passing places on Dick Lane as agreed with the LCC Highways Engineer.

14. An additional consultation with neighbours and the Parish Council was undertaken between 10 December 2014 and 7 January 2015. No further representations have been received from this.

Principle of the Development

15. Pertinent Policies are: Adopted Chorley local Plan Review (2003), Policy DC1 and DC7A; Adopted Central Lancashire Rural Development SPD (2012); Emerging Chorley Local Plan 2012 – 2026, Policy HS9. Also of relevance is the Framework (National Planning Policy Framework) Section 9, paragraphs 87 – 92.

16. The site is within the Green Belt. Paragraphs 87 - 88 of the Framework state: (para 87) *'As with previous Green Belt Policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.'* (para 88) *'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.'*

17. The Adopted Central Lancashire Rural Development SPD (2012) mirrors paragraph 89 of the Framework. Policy DC1 of the Adopted Chorley Borough Local Plan Review (2003) and Policy HS9 of the emerging Chorley Local Plan 2012 – 2026 set out exceptions where development can be considered to be appropriate in the Green Belt:

- a. The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;
- b. The proposal would not harm the character or quality of the countryside or landscape;
- c. The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;
- d. If an agricultural building, it is not one substantially completed within ten years of the date of the application;
- e. The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;
- f. The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be tightly drawn around the building footprint and the requirement for outbuildings, which should be minimal;
- g. The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;
- h. The development would not result in the loss or damage to any important wildlife habitat or protected species.

18. Assessing the application against this criteria:

- a. Overall the amount of built development within the site will be less than is currently the case. Consequently it is considered that there will be a lesser impact on the openness of the Green Belt.
- b. The proposal seeks to re-use existing buildings and to make alterations including an extension to the barn building and the extension of the existing garage that have been designed to complement this rural setting. It is therefore considered to sustain the character and quality of the Green Belt.
- c. Farming operations ceased at this site some years ago and the centre of farming operations re-located to a new site to the south of Brinscall Hall. There will therefore be no requirement for additional farm buildings as a result of the proposed development.
- d. The building dates from the 19th Century.
- e. A structural survey report accompanies the application which confirms the structural integrity of the building and its capacity for conversion.

- f. The building is readily capable of conversion and only requires a limited number of extensions, one to the barn the other to the existing garage, to be erected. The extent of the proposed domestic curtilage follows the line of the existing farm yard wall which is considered to be both adequate for properties of this type and acceptable in terms of the relation with the open countryside beyond.
 - g. An existing access is already in place. This will be enhanced by the provision of passing places that are the subject of a proposed 'Grampian' (pre-commencement) condition.
 - h. Suitably worded conditions will ensure that protected and endangered species are safeguarded both during and post construction.
19. The proposal involves the removal of a sizeable modern cow shed, a form of development that is appropriate in the Green Belt, and the erection of an extension to the barn building and an extension to the existing garage that falls to be considered as inappropriate development in the Green Belt. However the overall impact on the openness of the Green Belt is considered to be acceptable as, with reference to the Framework, it will not result in a disproportionate addition over and above the size of the original building. The overall mass of built development will be reduced at this point within the Green Belt.
20. In terms of alternative uses for the buildings they were originally taken out of agricultural use as being no longer fit for modern farming practices and are too small to accommodate modern farming machinery. They are now divorced from the land to which they were previously associated meaning that agricultural use is no longer a viable option. Other industrial uses, even office accommodation is considered inappropriate in this quite remote location as it would result in even heavier vehicle movements along Dick Lane than a residential use would create. Clearly these buildings, as with any building, have to be sustainable and have an active, economic and sustainable use. It is considered that residential use in this case is the most appropriate.
21. On balance it is considered that very special circumstances have been demonstrated and that these overcome the inappropriateness of development and any other harm caused and that the end product will sustain the openness and the quality of the Green Belt at this point.

Design

22. Pertinent Policies are: Chorley Borough Householder Design Guidance SPD (2008); Adopted Central Lancashire Core Strategy (2012), Policy 17; Adopted Central Lancashire Design SPD (2012); Emerging Chorley Local Plan 2012 – 2026, Policy BNE1. Also of relevance is the Framework paragraph 56, 57 and 60 – 65.
23. A key thrust of these policies is the desire to encourage high quality and innovative design. Paragraph 56 of the Framework states that, *'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.* Paragraph 57 continues, *It is important to plan positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider development schemes.'*
24. Paragraphs 60 – 65 not only reinforce the need for good design and design which responds to context, but also the benefits of using independent design review arrangements to ensure high standards of design. Paragraph 63 states that, *'In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.'* Paragraph 65 concludes that, *'Local planning authorities should not refuse planning permission for buildings or infrastructure which promotes high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design.'*
25. The application follows extensive pre-application discussions and further negotiations following the withdrawal of a previous, similar scheme. The design suggests some new interventions, however these are only proposed where they are necessary and are

considered to be of a high-quality, complimentary yet contemporary design that will enhance the appearance of the building. High quality complimentary materials are proposed to support the overall design ethos and suitably worded conditions will secure these details.

26. It is therefore considered that the proposal represents the highest quality of design and that consequently it accords with the aforementioned policies.

Impact on the significance of a designated heritage asset

27. Pertinent Policies are: Adopted Central Lancashire Core Strategy (2012), Policy 16; Emerging Chorley Local Plan 2012 – 2026, Policy BNE8. Also of relevance is the Framework, Section 12.
28. Within the Framework 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.’
29. 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.’
30. 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:
- a. *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.*’
31. The emerging Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, ‘*Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate. The enhancement of the setting of heritage assets.*’
32. In this case given the relationship of the development site and the designated heritage asset, the design of the proposed works and the choice of materials proposed it is considered that the significance of the designated heritage asset will be sustained as a result of the development.
33. It is therefore considered that the proposed development is in accordance with the aforementioned policies.

Impact on the amenity of neighbours

34. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy HS4; Chorley Borough Householder Design Guidance SPD (2008); Emerging Chorley Local Plan 2012 – 2026, Policy BNE1. These policies/ guidance suggest that any proposed development should not have an unacceptable impact upon the amenity currently enjoyed by neighbouring properties.
35. The proposed development will have a material impact upon the amenity currently enjoyed by the neighbours to the site. However it is considered that, with the inclusion of suitably worded conditions, that impact can be addressed. The occupants of Brinscalle Hall

Bungalow and, to a lesser extent, Brinscall Hall are the properties that would be directly affected by the proposed development as a result of overlooking to their current domestic garden areas. The distance from windows to the first floor of the proposed development, specifically to plot 1, that would have an oblique angle view of these domestic garden areas is such that the impact on the amenity currently enjoyed by Brinscall Hall Bungalow and Brinscall Hall itself is considered to be acceptable.

36. The removal of the bin store within the proposed extension to the existing garage, with the use of the extension limited to domestic storage and the location for bat boxes, to be secured by condition, and the relocation of bin storage facilities to within the boundaries of each proposed new dwelling is considered to provide an acceptable relationship to neighbouring properties and to have no material impact upon their amenity.
37. This being the case it is considered that the proposed development will not have an unacceptable material impact upon the amenity currently enjoyed by neighbouring properties.

Highway Safety and Parking

38. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy TR4; Emerging Chorley Local Plan 2012 – 2026, Policy ST4. The Lancashire County Council Highways Officer has commented that he has no objections to the proposed development, however he has asked for a pre-commencement 'Grampian' condition that requires the construction of passing places on Dick Lane. Whilst the part of Dick Lane on which these passing places are to be created is an unadopted highway in private ownership, the land owner has given written consent to the applicant for their construction and ongoing maintenance thereafter (at the applicant's expense). The development will accord with the Council's parking standards as set out in Appendix A of the emerging Chorley Local Plan 2012 – 2026.
39. The proposed development is therefore considered to accord with the aforementioned policies.

Ecology

40. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy EP4; Adopted Central Lancashire Core Strategy (2012), Policy 22; Emerging Chorley Local Plan 2012 – 2026, Policy BNE9. These policies, together with other legislation, seek to safeguard protected and endangered species and their habitats. The Lancashire County Council Ecologist has commented that the findings and proposed mitigation contained within the submitted ecological reports are acceptable. Suitably worded conditions will secure and safeguard protected species and their habitats.
41. The proposed development is therefore considered to accord with the aforementioned policies.

Trees

42. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy EP9; Emerging Chorley Local Plan 2012 – 2026, Policy BNE10. These policies seek to protect trees from development pressure where they have some amenity value.
43. The proposed development does not require works to any trees. However to safeguard any trees within or adjacent to the site a condition will require the submission and approval of tree protection details prior to the commencement of the development.
44. The proposal is therefore considered to be in conformity with the aforementioned policies.

Public Right of Way

45. Pertinent Policies are: Adopted Chorley Borough Local Plan Review (2003), Policy LT10; Adopted Central Lancashire Core Strategy (2012), Policy 24; Emerging Chorley Local Plan 2012 – 2026, Policy ST1. The proposed development does not block or require the diversion of any of the public footpaths that intersect with the site. However a suitably worded informative will appraise any future developer of their legal obligations with this regard. The existing public footpath network will therefore be retained.
46. The proposed development is therefore considered to accord with the aforementioned

policies.

Drainage and Sewers

47. Pertinent Policies are: Adopted Chorley Local Plan Review (2003), Policy EP18. The development proposes the use of independent drainage for both foul and surface water disposal. This accords with advice previously given by United Utilities, however to secure the details a suitably worded condition has been suggested. Surface water run-off is likely to be less than at present as a result of the removal of extensive areas of concrete hard standing.
48. The proposed development is therefore considered to accord with the aforementioned policy.

S.106 Agreement

49. The National Planning Practice Guidance was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m².
50. This development is for 6 no. dwellings and whilst it falls below the 10 unit threshold, the development has a combined gross floorspace of more than 1000m².
51. As such a contribution towards the provision of public open space is therefore sought from this development in accordance with the National Planning Practice Guidance:

Amenity Greenspace	£840
Equipped play area	£804
Natural/semi-natural	£3,342
Allotments	£90
Playing Pitches	£9,594
Total	<u>£14,670</u>

52. In addition this development exceeds the 5 unit threshold for rural areas set out within Policy 7 of the Central Lancashire Adopted Core Strategy and as such a contribution towards off-site affordable housing (35%) is therefore sought from this development in accordance with the National Planning Practice Guidance: £423,882.00.

CIL

53. The development is liable for the Community Infrastructure Levy (CIL) which equates to £64,935.

Overall Conclusion

54. It is considered that it will result in no material impact upon the amenity of neighbours and accords with local and national policy in terms of highway, arboriculture and ecology. Consequently the application is recommended for approval.

Planning Policies

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

Planning History

Ref: 13/01089/FUL **Decision:** WDN **Decision Date:** 13 January 2014
Description: Conversion of redundant barns to form 6 no. dwellings including demolition of livestock building and part of existing barn, construction of rear extension to one barn, construction of two blocks of garages, extension of existing garage to create bin store and creation of associated vehicular parking areas.

Ref: 12/00446/FUL **Decision:** WDN **Decision Date:** 9 July 2012
Description: Erection of an 'Endurance E-3120' 24.6m high (34.2m to blade tip) wind turbine.

Ref: 08/00221/TPO **Decision:** REFTRE **Decision Date:** 19 June 2008
Description: Removal of lower branches to various trees covered by TPO 3 (Wheelton & Withnell) 1976,

Ref: 88/00321/TPO **Decision:** WDN **Decision Date:** 15 June 1988
Description: Pruning of three trees included in tree preservation order no 12 (Wheelton) 1984

Ref: 84/00071/TPO **Decision:** PERFPP **Decision Date:** 21 February 1984
Description: Lopping and felling selected trees covered by tree preservation order no. 3 (Brinscall) 1976 approximately 3 fellings

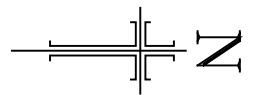
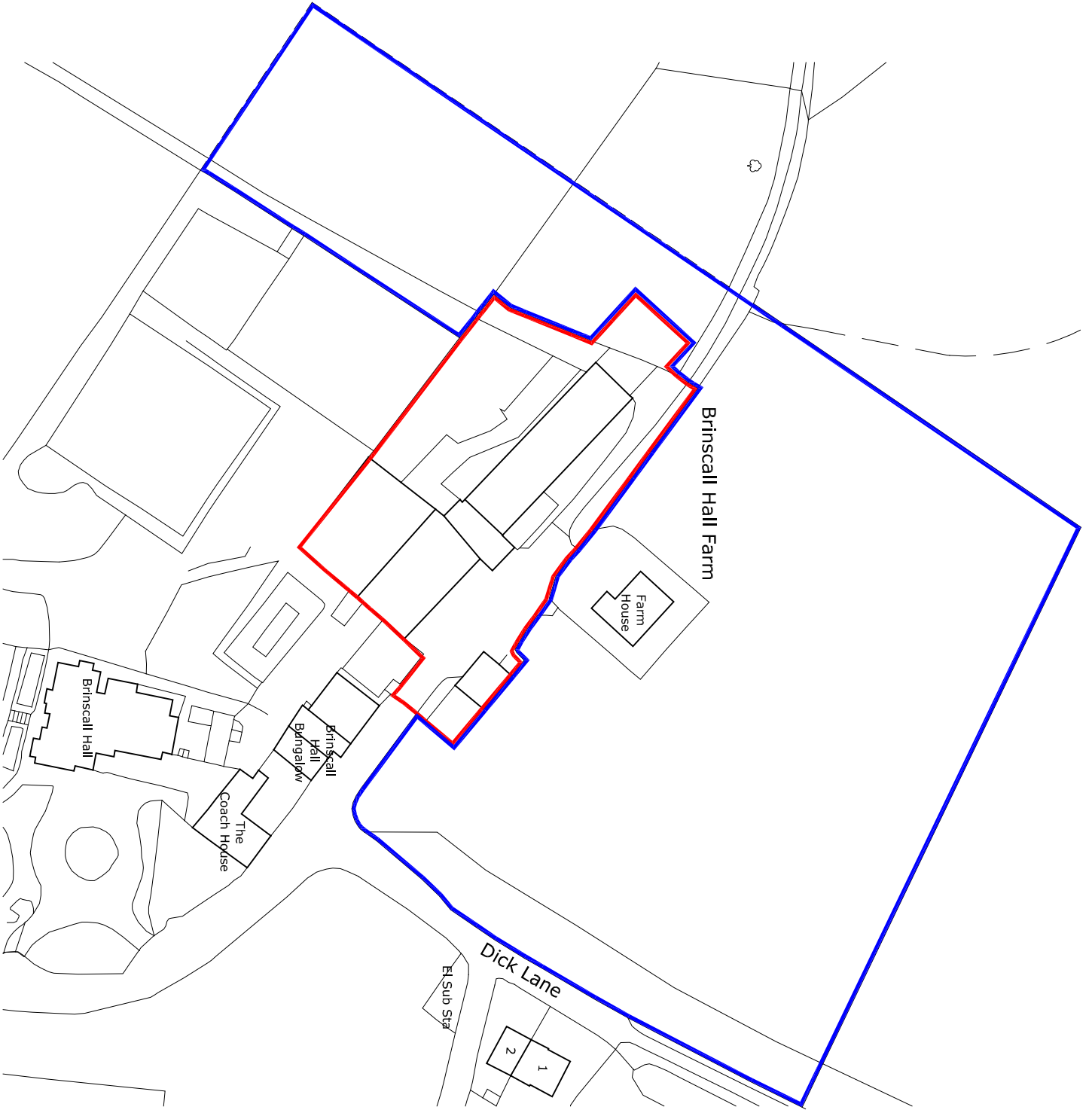
Ref: 74/00171/FUL **Decision:** REFFPP **Decision Date:** 29 May 1974
Description: Site for 80 dwellings

Proposed Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>Drawing: BS.13-047/SK 01 Rev F received on 9 December 2014 Drawing: BS.13-047/SK 02 Rev B received on 14 August 2014 Drawing: BS.13-047/SK03 Rev B received on 14 August 2014 Drawing: BS.13-047/SK04 Rev A received on 14 August 2014 Drawing: BS.13-047/SK05 Rev - received on 14 August 2014 Drawing: BS.13-047/SK 06 Rev D received on 9 December 2014</p> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>
3.	<p>The development hereby permitted shall not commence unless and until the developer has implemented the plan (reference BS.13-04/SK 06 Rev D as submitted on 9 December 2014 and the construction details as shown on the illustrations submitted on 12 December 2014 from Geosynthetic Ltd 'Golpa Grass Reinforcement System' and 'Golpa Gravel Reinforcement System') for the construction of three vehicle passing places on Dick Lane.</p> <p>Each passing place should be 10 metres in length with 10metre tapers on both sides. The combined width of a passing place and the road at each location should be 5.5 metres. The passing places should be sited at 60 metre centres and tarmac covered. The passing places should be designed to include culverts for the current drainage ditches and must avoid damage to adjacent trees that are the subject of a Tree Preservation Order. The passing places shall be retained in perpetuity thereafter.</p> <p><i>Reason: In the interests of highway safety.</i></p>
4.	<p>The development hereby permitted shall not commence unless and until, plans and particulars showing a scheme of foul sewers and surface water drains, have been submitted to, and approved in writing by, the Local Planning Authority. Such works shall be carried out in accordance with the approved details concurrently with the rest of the development and in any event shall be finished before the building is occupied.</p> <p><i>Reason: To ensure a satisfactory means of drainage.</i></p>
5.	<p>The development hereby permitted shall not commence unless and until samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
6.	<p>During the construction period, including the construction of the passing places as detailed at condition 3, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained</i></p>
7.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwelling(s), porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission.</p>

	<i>Reason: In the interests of neighbour amenity.</i>
8.	<p>The parking and / or garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
9.	<p>The garages hereby approved as part of the development shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.</p> <p><i>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.</i></p>
10.	<p>The development shall not proceed without the prior acquisition of a licence from Natural England for the derogation of the protection of bats under the Habitats Directive.</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
11.	<p>A further precautionary survey for Barn Owl shall be carried out prior to commencement of works. No works shall commence when Barn Owl are nesting. If evidence of recent or current use by Barn Owl is detected than no works shall commence until alternative provision for them has been provided within 200m of the site and accordance with recognised guidance (Barn Owls and Rural Planning Applications "What needs to happen": A guide for planners, Ramsden and Twigg, 2009).</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
12.	<p>A permanent accessible roosting/nesting space for Barn Owl shall be installed within one of the re-developed buildings. No works shall commence until full details of the permanent provision have been submitted to and approved in writing by Chorley Council in consultation with their specialist advisors. The provision shall be in accordance with recognised guidance (Barn Owls and Rural Planning Applications "What needs to happen": A guide for planners, Ramsden and Twigg, 2009) and approved details shall be implemented in full.</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
13.	<p>No vegetation clearance works, demolition work, works affecting stone walls, development works or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
14.	<p>Replacement habitat for birds (to include replacement planting and replacement nesting opportunities for Swallow and passerine birds such as Wren) shall be installed within the re-developed site. No works shall commence until full details have been submitted and approved in writing by Chorley Borough Council in consultation with their specialist advisors. The</p>

	<p>replacement habitat shall be sufficient to adequately offset the losses as a minimum. The approved details shall be implemented in full.</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
<p>15.</p>	<p>No external lighting associated with the application shall be installed without the prior approval, in writing, from the local planning authority.</p> <p><i>Reason: To safeguard protected species and their habitats.</i></p>
<p>16.</p>	<p>The proposed extension to the existing garage shall only be used for domestic storage and for the installation of bat boxes and any other ecological mitigation measures that may be required. It shall not be used for the storage of any household waste or items for recycling or disposal.</p> <p><i>Reason: To secure the amenity of neighbouring residential properties.</i></p>



NOTES

The copyright of this drawing is held by Lea Hough & Co Chartered Surveyors LLP.

Do not scale from this drawing. All dimensions must be checked and verified by the contractor prior to works commencing on site.

REV	DESCRIPTION	DATE	APPROVED
A	Revised development boundary	04-11-13	GM

LeaHough

CHARTERED SURVEYORS

Survey Valuation Design Planning Sales

Blakewater House
Phoenix Business Park
Blakewater Road
Blackburn
Lancashire
BB1 5RW
Tel: 01254 260196
Email: info@leahough.co.uk
Web: www.leahough.co.uk

8 Eaton Avenue
Matrix Office Park
Buckshaw Village
Preston
Lancashire
PR7 7NA
Tel: 01772 458866
Email: info@leahough.co.uk
Web: www.leahough.co.uk



CLIENT:
Mr & Mrs Mughal
Brinscall Hall Farm
Dick Lane
Brinscall, Chorley,
Lancashire,
PR6 8QL

PROJECT ADDRESS:
Brinscall Hall Farmhouse,
Dick Lane,
Brinscall, Chorley,
Lancashire,
PR6 8QL

PROJECT TITLE:
Re-development/Conversion of Existing Barns

DRAWING TITLE: Location Plan	DRAWING NUMBER: BS.13.047.01	REV: A
PAPER SIZE: A4	SCALE: 1:1250	DRAWN BY: GM
DATE: April 2013		

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Item 3c	16/00365/FUL
Case Officer	Iain Crossland
Ward	Wheelton and Withnell Ward
Proposal	Removal of existing stables and erection of new stables
Location	Laneside Farm Brown House Lane Higher Wheelton Chorley PR6 8HR
Applicant	Mr Stephen Nolan
Consultation expiry:	01 July 2016
Decision due by:	14 June 2016

Recommendation

It is recommended that this application is refused for the following reason:

By virtue of its size and scale the proposed development constitutes inappropriate development in the Green Belt that would have a significant impact on the openness of the Green Belt. The harm that would be caused through reason of inappropriateness is not outweighed by any evidence advanced in support of the application. The proposed development is, therefore, contrary to the National Planning Policy Framework and Central Lancashire Rural Development Supplementary Planning Document as the facilities in their entirety are not considered appropriate facilities for outdoor sport and recreation and would not preserve the openness of the Green Belt.

Representations

Wheelton Parish Council: Comment that plans are inadequate as the existing stable block to be removed is not visible therefore the Parish Council is unable to review the plan and therefore request better plans are provided. Local knowledge shows that there is an open ditch next to the new site of the building and it is questioned where the effluent from the building will be directed. The area is also close to Thirlmere Aquaduct.

In total 10 representations have been received which are summarised below

Objection	Support
Total No. received: 2	Total No. received: 8
<ul style="list-style-type: none"> • The proposed development is not small scale and adds cumulatively to the effects of existing buildings and activities at Laneside Farm to the detriment of the openness and character of the Green Belt in a location which has been acknowledged as sensitive to the further erosion of these Green Belt purposes. It is, therefore, inappropriate development. • The absence of the demonstration of need for the development in the context of the existing buildings at Laneside Farm. • Previous applications have been made at the farm on the basis that existing building are redundant therefore these should be used instead of creating additional buildings. • Impact on landscape character and the sensitivity of this particular area to further development • The site is already overdeveloped and cluttered • Impact on highway safety • There are no very special circumstances 	<ul style="list-style-type: none"> • Clydesdales require specific management including larger than normal stables with adequate washing and grooming areas • The stables will blend in beautifully with the ambiance of the area and visually enhance the area. • It is refreshing to see agricultural buildings being erected for a change instead of barn conversions and oversized dwellings

Consultees

Consultee	Summary of Comments received
LCC Land Agent	Whilst they continue to recognise the justification for stabling for the applicant's horses, they believe that the duration of the agreement held to justify a permanent structure of this design requires consideration. In addition, they consider that the scale of the building to be larger than necessary as a result of unnecessary facilities and others that could be accommodated within the existing buildings upon the unit. As such, it is their opinion that both the length and width of the building could be reduced and still meet the needs of the applicant.

	They continue to believe that the design of the structure greatly exceeds the need of the activities undertaken by the applicant and has no justification.
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AssessmentThe Site

1. The application site comprises an existing stables building and yard area with an associated paddock for the grazing of horses. This has a field access from Brown House Lane that serves the existing stables building. The site forms part of a wider agricultural holding identified within the red edge on the Location Plan. The land comprises stables buildings to the north and south of Brown House Lane adjacent to the lane itself. There is also a cluster of buildings in what amounts to the farm yard, which comprises a two storey timber clad building referred to as a sheep dip, a steel agricultural shed used for agricultural and non-agricultural storage, a timber extension to the rear and a timber stable structure between the storage building and sheep dip. Some of the land appears to be in use as allotments and subdivided small holdings with the remainder used for pasture.
2. It is noted that there is extensive planning history relating to this site that when taken together show a shift in the use of the land and buildings contained within it from agriculture to equestrian related uses. Of particular note are three applications on the farm yard area. An application to change the use of the steel shed from agriculture to a mixed use of agriculture and non-agricultural storage (re.05/00719/COU), which was approved on appeal. An application for the conversion of the 'sheep dip', which was described as a redundant agricultural building, to a dwelling, including the demolition of the steel shed (ref.11/00733/FUL). The decision by the Local Planning Authority to approve this application was quashed by the High Court following a Judicial Review challenge of the decision by a neighbour. A prior approval application submitted under Part 3, Class MB of The Town and Country (General Permitted Development) (Amendment) Order 2013 to change an agricultural building (the sheep dip) to a dwelling (ref.14/00672/P2PAJ), which was withdrawn. There have been successful applications for two stables buildings under application reference number 09/00457/FUL and 08/01117/FUL.
3. The site is located within the Green Belt in a rural area characterised by clusters of dwellings of agricultural origins and character with the village of Higher Wheelton to the south. The wider area is largely open rural countryside interspersed with agricultural buildings and dwellings.

The Proposal

4. The proposed development involves the erection of a stable building comprising three stable bays, a sick bay, a horse washing and drying area, a tack room, feed store, and store room. The main part of the stables building would measure approximately 16m by 10m, with a 1m roof overhang along each side. It would have a dual pitched roof with ridge and eaves height of approximately 5.1m and 3.5m respectively. The existing timber stables building, measuring approximately 8m by 5m, would be removed.
5. The building would be constructed of blockwork with brick to damp proof course level and would be timber clad externally. The roof would be laid in Accord Brit Tile Roof Sheets with a series of roof lights and air vents. There would be a gravelled area to the west of the stables building. The access would extend from an existing field access serving the existing stables building and there would be a brick footway running along the length of the building.
6. There would be drainage channels installed to serve the stables building with a septic tank adjacent to the proposed access along with an area for a muck midden to the north side.
7. The applicant owns three Clydesdale horses, which are currently kept on the farmyard site utilising the timber structure between the sheep dip and steel shed to the east of Brown House Lane, and use the land on the west side of Brown House Lane for grazing. Clydesdale horses have been kept by the applicant on the site for a number of years.

Assessment

The main issues for consideration are as follows:-

Issue 1 – Impact on the Green Belt

Issue 2 – Neighbour amenity

Issue 3 – Impact on character and appearance of the locality

Impact on the Green Belt

8. The application site is located within the Green Belt. 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.
9. National guidance on Green Belt is contained in Chapter 9 of the Framework, which states:

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

80. Green Belt serves five purposes:

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

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

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

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

provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;
10. The main use of the site would be for private recreational use and falls to be considered as a facility for outdoor recreation, in accordance with the definition in the Framework outlined above.
11. The Central Lancashire Rural Development SPD sets out more detailed guidance in relation to equestrian development. In assessing the acceptability of equestrian development in rural areas the SPD sets out matters relating to scale, siting, design, site treatment, highway safety and reinstatement, which should be taken into account. These are assessed below and contribute to an overall assessment of the impact of the proposed development on the openness of the Green Belt.
12. In accordance with the Framework, appropriate facilities for outdoor recreation are not considered inappropriate provided that they preserve the openness of the Green Belt. The Central Lancashire Rural Development SPD provides more detailed guidance on this and the development is assessed in relation to this guidance
13. Scale: The stables building is for private use and would accommodate three heavy breed Cyldesdale horses. There would be three stable bays, a sick bay, a horse washing and drying area, tack room, feed store, and store room. This is in excess of the provisions made for small private developments involving no more than three horses as set out in the Central Lancashire Rural Development SPD as an additional stable bay would be provided.

14. Siting: The stables building would be positioned within an area of hardstanding in the position of an existing stables building. The proposed stables building would be screened to the south to some extent by an existing boundary fence and to the west by an existing building on the other side of Brown House Lane. Although the proposed stables building would replace an existing stable building in a similar position, the proposed stables building would be more prominent in the landscape by virtue of its increased size. The stables building and midden would be located well in excess of 30m from the nearest property at Sitchcroft Farm, and would be screened from this property by the boundary fencing and intervening structures.
15. Design: The proposed stables building would have a ridge height of approximately 5.1m, which is in excess of the 3.5m maximum set out in the Rural Development SPD, however, the LCC Land Agent advises that this can be accepted given that Clydesdale horses would require greater headroom than normal. In terms of floor area the stables building would be unusually large measuring approximately 10m by 16m plus a 1m overhang. This is partly due to the size of the individual stable bays measuring 4m by 4.58m each. This is larger than normal but is considered appropriate in this instance on the basis that they are for Clydesdale horses, a particularly large breed. There is a tack room and feed store, which is generally accepted for stables, however, in addition to this there is a further store room, sick bay and washing and drying area, which are not referred to in the Rural Development SPD and contribute to the unusually large scale of the building. The LCC Land Agent considers that the further store room, sick bay and washing and drying area are not necessary requirements for the keeping of the applicant's horses. The applicant asserts that these facilities are required and this is discussed below.
16. Aside from this large scale, the building would be timber clad and of a traditional outward appearance. The building would have internal double skin walls with cavity constructed of blockwork up to eaves height upon a brick base. The applicant asserts that this is necessary due to the increased power of the Clydesdale breed. However, the LCC Land Agent considers that the proposed building is unnecessarily overdesigned and that a reinforced block work wall would meet the needs of the stables, even when considering the larger horses proposed to be housed within the proposed building.
17. Site Treatment: Hardstanding would be minimal given that the stables building would replace an existing stables building and would be partially constructed on an existing area of hardstanding.
18. Highway Safety: There is an existing vehicular access from the highway at Brown House Lane, which serves the existing stables. This would be used to access the proposed stables building and associated area of hardstanding. There would be adequate space for the parking and turning of vehicles with trailers following development.
19. Re-instatement: A condition is normally recommended for stable buildings, which would require the removal of them where they are no longer required and restoration of the land to its former condition in order to protect the appearance of the countryside. The applicant's agent has indicated that such a condition would be accepted.
20. On the basis of the above the proposed development would not meet the guidelines set out within the Central Lancashire Rural Development SPD in relation to the design and scale.
21. The development is therefore considered to be in excess what could be regarded as appropriate facilities for outdoor sport and recreation and is therefore inappropriate development in the Green Belt. In accordance with the Framework inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
22. The applicant's agent has advanced a case in support of the proposed development in relation to its scale and internal accommodation needs. This centres upon the particular breed of horse (Clydesdale) that is currently kept at the site, the inadequacy of the current facilities and the need for a larger building of more substantial construction than standard timber frame stables building for the health and security of the horses. The applicant states that the inclusion of an indoor washing and drying area within the proposed building is necessary as the Clydesdale horses need regular grooming and cleaning due to the characteristics of their breed such as longer feathers to the legs. In addition, the applicant and his wife, who show their horses, believe that a

suitable area is required in order to prepare their horses for shows. The fact that the horses are taken to shows is also put forward as the justification for a sick bay. This is because horses can pick up infections at shows from other horses, and if not isolated from the horses in the stable run the risk of spreading infection through nose to nose contact particularly.

23. The supporting statement refers to Defra guidance identifying the type and scale of accommodation appropriate for such larger horse breeds. This is supplemented by a letter from the applicant's vet Mr John Gilliver of Gillivervet Limited. This confirms that Clydesdale horses require larger than normal stable bays. The letter also confirms that the horses are taken to shows and competitions and as such need to be turned out to a high standard requiring a wash room. The letter states that the applicant has lost two horses in the past and that an isolation facility is an essential part of any modern stabling facility.
24. A letter has been received from a Clydesdale breeder confirming that the applicants take their horses to shows, and that preparation for such shows requires a great deal of preparation and that indoor washing and drying areas are essential to this. The letter also states the need for an isolation stable if a horse picks up an illness at an event.
25. A letter from a member of the Clydesdale Horse Society confirms the need for sick horses to be isolated as they are prone to diseases, which are airborne and therefore requires them to be isolated from other horses. The letter confirms that the applicants show their horses and have had previous winners. It states that wash facilities would help the applicants to prepare their horses for shows. The letter also confirms the horses require a vast array of equipment and feed.
26. An inventory of equipment and feed associated with the horses has been submitted by the applicants, showing an extensive list of items and feed requirements.
27. A previous planning decision taken in West Sussex is referred to by the applicant in terms of the need for a blockwork wall with cavity. It is noted that this case was not in the Green Belt and the cavity walling was to a 'low level'.
28. An article on the Clydesdale Horse Society website states: *During the 1960's and early 1970's, breed numbers dwindled and in 1975, the Clydesdale was categorized by the Rare Breed Survival Trust as "vulnerable". Over the years and with the increase in breed numbers, it is now categorized as "at risk".*
29. The scale of the proposed building is of greatest significance to the impact on the openness of the Green Belt. The main body of the stables building, excluding the overhangs, would measure approximately of 16m by 10m in area. It would have a dual pitched roof with a ridge and eaves height of approximately 5.1m and 3.5m respectively. This is considered to be excessive in scale for a small private development, as is the inclusion of a full height blockwork wall with cavity and apparent inclusion of a septic tank, which is unusual for a private stables development.
30. The scale of the building has been influenced by the size of the horses (Clydesdale) to be stabled there. It is accepted that the size of the stable bays themselves is appropriate for the horses in question and that the height of the building is necessary for this purpose. The inclusion of a tack and feed store of the size proposed is normal and meets with the guidance set out in the SPD. The additional storeroom is understandable given the size of the horses and their associated equipment, however, it is noted that the Land Agent does not consider the additional store to be necessary.
31. The wash room and drying area take up a large part of the building measuring approximately 8m by 4.5m. It is asserted by the applicant and their supporting letters that this area is required to help them prepare the horses for shows. Although this would help prepare the horses for shows the frequency of such intensive grooming would not appear to justify such a facility of such permanence and scale and is more akin to a large commercial equine unit rather than a small scale unit. In addition it is unclear why an outdoor area of hardstanding could not be used for this purpose. The Land Agent considers such a facility to be unnecessary for the keeping of the applicant's horses.

32. The sick bay would measure approximately 4.3m by 3.4m. The applicant asserts, with the support of their vet and letters from Clydesdale breeders, that this is necessary as horses may pick up infections at shows and isolation is required to prevent the spread of illness to other horses. The frequency of such a situation occurring would seem fairly low, and it is not considered that such a facility is necessary for the keeping of the applicant's horses by the Land Agent. The inclusion of a sick bay would seem more akin to a riding school, large livery or stud where numerous horses are continually being moved on and off site. In addition to this there may be other possibilities for isolating a horse without the need to add to the built form in the Green Belt. Based on the fact that some common infections and diseases are airborne it would seem unwise to isolate a horse in the same building and it may be that the applicant could come to an agreement with the landowner to use another building on the farm for this purpose as and when such a situation arises or consider a temporary facility.
33. There would be an internal blockwork wall with cavity to eaves height. Although it is accepted that such horses would require a more sturdy stable design this is considered unnecessarily over engineered by the Land Agent, who considers that a reinforced block work wall would be adequate, even when considering the larger horses proposed to be housed within the proposed building. It is considered unnecessary that the internal wall should extend all the way to eaves height.
34. In consideration of the above, the considerable scale, mass and permanence of the proposed building goes beyond that which could be considered an appropriate facility and would form an intrusive feature, which would erode the openness of the Green Belt to a harmful extent, resulting in a failure to safeguard the countryside from encroachment, without necessary justification.
35. Whilst it is recognised that the applicant has stated that none of the existing buildings situated to the north of the site on the east side of Brown House Lane are available to provide stabling or other facilities, the Land Agent sees no reason why the steel shed building could not be used to provide the necessary storage needs for the proposed stables building. It is noted that these buildings have in the past been referred to as being redundant at the time of application ref.11/00733/FUL, and at the time of the officer's site visit continue to appear little used, with equestrian paraphernalia in the vicinity. On this basis it is unclear why the facilities such as the washing and drying areas and sick bay could similarly not be accommodated within the other buildings on the site. The applicant states that this is not possible as the other buildings are in separate ownership.
36. The LCC Land Agent has concerns regarding the relatively short length of the lease agreement at six years and subsequent security over the land. He suggests that the Council would wish to have demonstrated to them security of tenure for a period which would reflect the permanence of the structure proposed. In considering the circumstances surrounding this application, it is feasible that should the proposed use of the land cease, a situation could occur where a structure could be situated on land for which the owner has no identified need. It is noted that the applicant is the son of the landowner and that they have indicated that they are able to come to an agreement if necessary (conversely it is unclear why a similar arrangement with the landowner could not be made for temporary use of the building referred to above for isolation purposes).
37. The proposal has already been found to be inappropriate development in the Green Belt. Considering the case put forward in favour of the application above it is not considered that this amounts to very special circumstances that would outweigh the harm to the Green Belt and it is therefore unacceptable.

Other Matters

Impact on neighbour amenity

38. The proposed stables building would be sited more than 30m from the nearest residential property at Sitchcroft Farm, with intervening structures providing adequate screening. This complies with the 30m guideline set out in the Rural Development SPD. Due to the degree of separation any impact on the amenity of the occupiers of Sitchcroft Farm is considered to be acceptable. Other properties in the area have a greater degree of separation and as a result would experience no unacceptable impact on amenity.

Impact on character and appearance of the locality

39. The main body of the proposed building would measure approximately of 16m by 10m in area. It would have a dual pitched roof with a ridge and eaves height of approximately 5.1m and 3.5m respectively. There would be an associated area of hardstanding around the stable and the building would replace an existing timber stables on Brown House Lane. Despite replacing an existing building the development would extend the built form in the area due to the scale of the proposed building and would further erode the open rural character of the locality.
40. The siting would, however, be close to the site boundaries and in relatively close proximity to other buildings, whilst the design and facing materials of timber cladding and Accord Brit Tile roof sheeting would be of an appropriately agrarian character.

Overall Conclusion

41. The proposed development is inappropriate in the Green Belt and is therefore harmful by definition. This harm is not outweighed by the case advanced in support of the application. It is therefore contrary to the National Planning Policy Framework and Central Lancashire Rural Development SPD.

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
15/01100/FUL	Removal of existing hen coop and erection of stables with attached hen coop and associated hard standing	Withdrawn	09 March 2016
14/00672/P3PAJ	Prior approval application under Part 3, Class MB of The Town and Country (General Permitted Development) (Amendment) Order 2013 to change an agricultural building to a dwelling.	Withdrawn	18 August 2014
13/00851/FUL	Parking 1no. horse trailer	Refused	27 November 2013
11/00733/FUL	Conversion of redundant agricultural building to residential use including ground floor rear extension. Demolition of detached agricultural/storage building to rear.	Revoked	08 November 2011
10/00283/FUL	Formation of a sand paddock measuring 40m x 30m, hay store extension to existing stable building, formation of horse trailer parking area and variation of condition 11 of planning permission 08/01117/FUL to allow the horse trailer to be parked on the site on a permanent basis (resubmission of application 09/00908/FUL)	Refused	18 November 2010
09/00908/FUL	Formation of sand paddock	Refused	08 January 2010

	measuring 60m x 40m, hay store extension to existing stable building, formation of midden, formation of horse trailer parking area and variation of condition no. 11 of planning permission no. 08/01117/FUL to allow horse trailer to be parked on the site on a permanent basis		
09/00457/FUL	Erection of timber stables	Approved	26 August 2009
08/01117/FUL	Erection of stable block, formation of hardstanding and construction of midden	Approved	24 December 2008
08/00894/FUL	Erection of a stable block and the formation of a hard standing	Refused	13 October 2008
06/00916/FUL	Retrospective application for horizontal timber cladding and construction of brick dwarf wall to the exterior of existing agricultural building	Appeal Allowed	20 June 2007
05/00719/COU	Change of use of building from agriculture to a mixed use of agriculture and non-agricultural storage	Appeal Allowed	19 December 2006



Project Information:

Client: Steve & Ann Nolan
 Project Title: Replacement Stables
 Project Address: Laneside Farm, Brown House Lane, PR6 8HR
 Project Stage: Planning Consent Application
 Date of Drawing: 03.04.2016

Drawn By: SLP
 Drawing Sheet Size: A1 (841 x 594)
 Drawing Scale: 1:500
 Drawing Title:

Site Plan as 'Existing'

Job Number: 240 Drawing Number: (A)4-01-PP Revision: -

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Drawing Revisions

Rev.	Date	Description	Author
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Item 3d	16/00332/ADV
Case Officer	Ian Heywood
Ward	Adlington & Anderton
Proposal	Restaurant signage (retrospective)
Location	Retreat Restaurants 19 Church Street Adlington Chorley PR7 4EX
Applicant	Mr J Guest
Consultation expiry:	14/06/2016
Decision due by:	28/06/2016

Recommendation

It is recommended that this application is approved.

Representations

Adlington Town Council: Has registered an objection to this application and the concurrent applications for planning permission and listed building consent. Their chief ground for objection to this application is that the details of the application do not include all the illuminated signs that are actually in place. This was corrected with an amended drawing.

One representation has been received objecting to the proposed development on the following summarised grounds:

- **'The application is retrospective and should therefore be refused.'**

Consultees

Consultee	Summary of Comments received
Consultations were not requested for this application.	N/A

Assessment**The Site**

1. The site consists of a grade II listed church building that was originally converted to an Indian restaurant, after deconsecration, in in early 1980s. The conversion and use of the site included an amount of signage, some of which being still in-situ when the current owner acquired the site last year.
2. The building is set back from the highway and includes an external terrace and seating area, parking, a grass verge and a pavement that altogether gives a separation distance of approximately 30 metres. The existing signage included a column mounted typical pub style illuminated sign set within the grass verge and non-illuminated signs close to the building.
3. The site is within the settlement of Adlington and is an established restaurant business, albeit that the particular business ceased trading a couple of years ago. As a result the site had become neglected and the building was in desperate need of repairs and refurbishment.

4. Permission was granted recently for repairs and refurbishment works including a new extension to the building. These works have been completed but additional works have also been undertaken for which concurrent applications to this one have been submitted.

The Proposal

5. This application seeks Advertisement Consent for signage, both illuminated and non-illuminated for the new restaurant business.

Assessment

The main issues are as follows:-

Issue 1 – The visual impact of the advertisements on the surrounding area

Issue 2 – Public safety

6. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework).

The visual impact of the advertisements on the surrounding area

7. Paragraph 67 of the National Planning Policy Framework (the Framework) states that poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.
8. In this case the advertisements for which consent is sought replace, in some cases, existing signage and in others install new signage entirely. This signage is of a contemporary high quality design and materials that befit the stylish high quality finish to be found in the building and its new extension. They are placed in what are considered to be appropriate locations and are of appropriate sizes, illuminated in a limited number of cases.
9. The signage is considered to complement the building and its new business and as such to enhance the appearance of the immediate area.
10. As such they are considered to be in conformity with the Framework.

Public safety

11. The site is an existing restaurant business. The proposed signage is that which is typically associated with this type of operation in this sort of location – there is a public house adjacent with some similar signs, albeit not as many.
12. As such it is considered that the signage does not cause harm to public safety.

Overall Conclusion

13. The signage for which permission is sought does not result in any material harm to the appearance of the area – quite the reverse, it enhances it, and does not result in any harm being caused to public safety. Therefore it is considered that the adverts are in accordance with the Framework and the application is accordingly recommended for approval.

Planning Policies

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

81/00750/FUL	Change of use to restaurant	PERFPP	01.12.1981
85/00149/ADV	Canopy	PERFPP	02.04.1985

85/00150/ADV	Two illuminated signs	PERFPP	02.04.1985
85/00221/FUL	Retention of canopy	PERFPP	02.04.1985
15/00578/FUL	Single storey side extension	PERFPP	04.08.2016
15/00628/LBC	Single storey side extension	PERLBC	04.08.2015
16/00350/FUL	Revised elevations, signage	Pending consideration	
16/00351/LBC	revised elevations, signage	Pending consideration	

Suggested Conditions

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

Proposed Elevations -signage 6519/9 REV C 16 June 2016
Location Plan 8 April 2016

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

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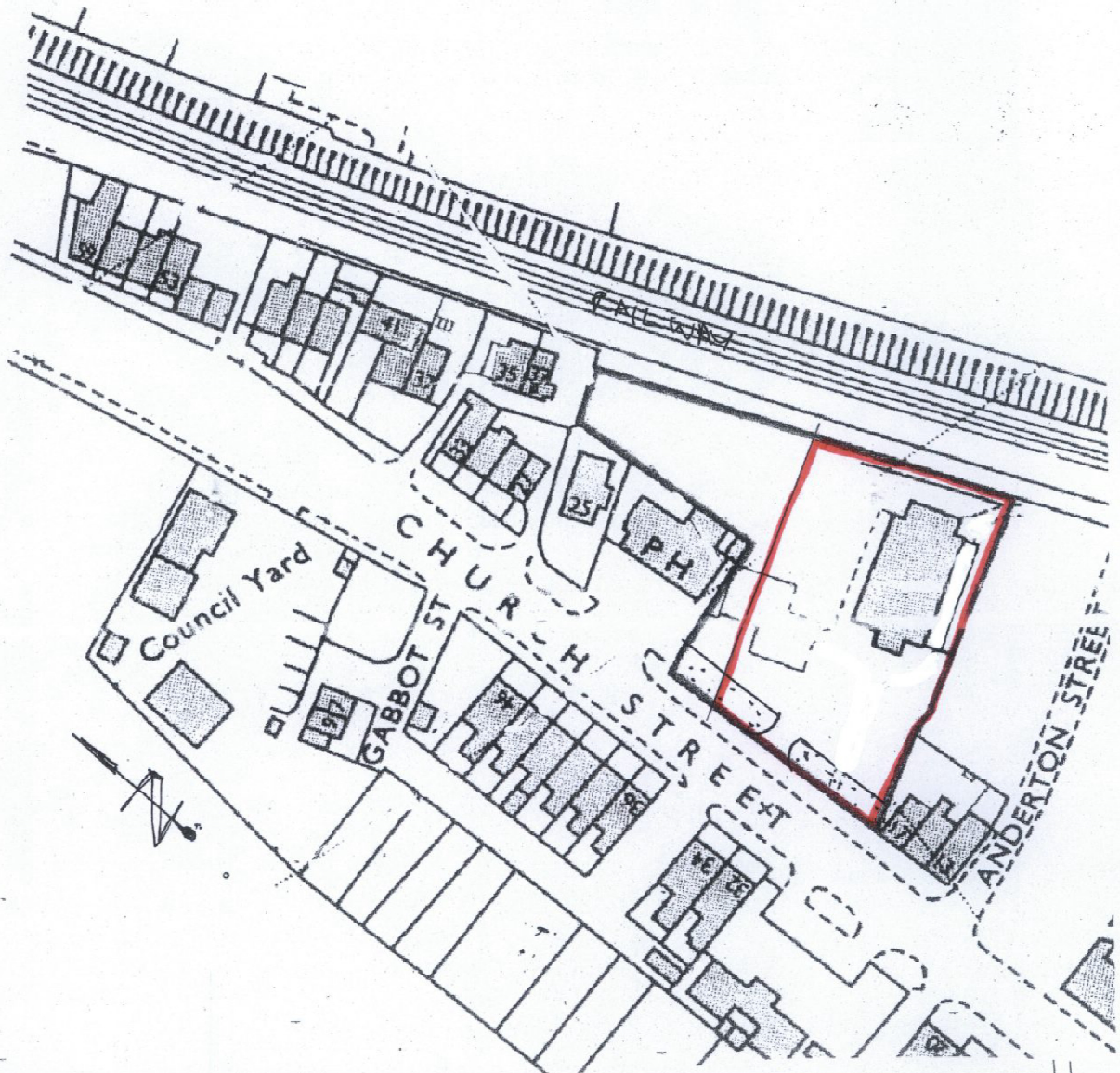
16/00354/15/0

DC LOC

CHORLEY COUNCIL
DEVELOPMENT CONTROL

REC'D 08 APR 2016

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retreat²
grill-bar-restaurant

LOCATION PLAN

PROPOSED
Grill Bar Restaurant
Christ Church, Church st
Adlington PR7 4EX

scale:	Job No	dwg
1:1250	6519	

R POTTER 01204: 707720
9 OSBOURNE CLOSE
FARNWORTH BOLTON BL47PL

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Item 3e	16/00350/FUL
Case Officer	Ian Heywood
Ward	Adlington & Anderton
Proposal	Retention of revised elevations, including rear extract flue, glazed front canopy, external planters & barriers. Erection of 1800/1500 high vertical closed boarded neighbour screens to side boundaries.
Location	Retreat Restaurants 19 Church Street Adlington Chorley PR7 4EX
Applicant	Mr J Guest
Consultation expiry:	14/06/2016
Decision due by:	28/06/2016

Recommendation

It is recommended that this application is approved.

Representations

**Adlington Town Council: Has registered an objection to this application and the concurrent applications for advertisement consent and listed building consent. Their chief ground for objection to this application is that the details of the application do not reflect the built development on the ground and that there are inconsistencies between the plans. Amended drawings were subsequently submitted to address these points.
The town Council also raises concerns about noise emanating from the outside seating area and causing harm to the amenity of the nearby neighbouring residential property.**

One representation has been received objecting to the development on the same grounds as indicated by Adlington Town Council

Consultees

Consultee	Summary of Comments received
Consultations were not requested for this application.	N/A

Assessment**The Site**

1. The site consists of a grade II listed church building that was originally converted to an Indian restaurant, after deconsecration, in in early 1980s. The conversion and use of the site included an amount of signage, some of which being still in-situ when the current owner acquired the site last year.
2. The building is set back from the highway and includes an external terrace and seating area, parking, a grass verge and a pavement that altogether gives a separation distance of approximately 30 metres. The existing signage included a column mounted typical pub style illuminated sign set within the grass verge and non-illuminated signs close to the building.

3. The site is within the settlement of Adlington and is an established restaurant business, albeit that the particular business ceased trading a couple of years ago. As a result the site had become neglected and the building was in desperate need of repairs and refurbishment.
4. The building is constructed of local sandstone with a slate roof.
5. Permission was granted recently for repairs and refurbishment works including a new extension to the building. These works have been completed but additional works have also been undertaken for which concurrent applications to this one have been submitted.

The Proposal

6. This application seeks planning permission for retention of the revised elevations, including rear extract flue, glazed front canopy, external planters and barriers. These are additional works over and above those for which consent was previously granted. The external terrace and seating area did exist previously, however latterly under the previous owner this was little used. Nevertheless it is pre-existing and is shown on the approved plan from when consent for conversion from a church to a restaurant was granted in 1981. Likewise the car park was also pre-existing and has simply been resurfaced and marked out.

Assessment

The main issues are as follows:-

- Issue 1 – The impact of the works on the appearance of the listed building
 Issue 2 – The impact upon neighbour amenity
 Issue 3 – Highways safety and parking.

The impact of the works on the appearance of the listed building/the significance of a designated heritage asset.

7. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the ‘*Special considerations affecting planning functions*’.

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.

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

8. 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.
9. 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.*’

10. 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.'*
11. 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.'*
12. 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.'*
13. 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.'*
14. 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.'*
15. 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.'*
16. 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.'*
17. 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.'*

18. In this case the applicant and agent undertook pre-application discussions with the case officer, resulting in a scheme that is considered to preserve the appearance of the listed building and to sustain the significance of this designated heritage asset.
19. Whilst in the ownership of the previous owner the building and the site generally had been neglected and had taken on an air of dereliction and decay. The business had failed and the owner had taken to camping out in the tower. Internally the building was in a shocking condition and had a 'Mary Celeste' appearance whereby the remnants of the last served meal, glasses, crockery and cutlery were just as they had been left by the last customers and staff. The exterior had also developed faults with leaking gutters and rainwater pipes, rotten windows and a motley collection of storage containers at the back of the site that were used as food and drink storage units and for the storage of surplus equipment.
20. The works both previously approved and subsequently undertaken are considered to enhance the appearance of the listed building and the area generally. Consequently it is considered that the application is in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the above listed paragraphs of the Framework and the stated local planning policies.

The impact upon neighbour amenity

21. Pertinent policies are: Adopted Chorley Local Plan 2012 2026, policy BNE1 (b).
22. The site is an existing restaurant business and this included an outdoor seating area. The use of the seating area is therefore already established on the site, albeit that it was little used by the previous business. The applicant has added neighbour screening to the southern site boundary which is the closest to any residential properties. He has also included discrete signage within the area advising customers to be aware of the residential neighbours and asking them to be considerate of this and also at the exit point to the site for patrons when leaving the restaurant.
23. A condition is therefore recommended given the recent intensification of the use of this area whereby the external seating area cannot be occupied after 10pm on Sunday to Thursday evening and 11pm on Fridays and Saturdays and to restrict the time at which music can be played to no later than 9pm Sundays to Thursdays and 10pm on Fridays and Saturdays. There is however a current environmental health (noise) enquiry ongoing at the moment, following a complaint by a neighbour, to ascertain the level of additional noise created by the outdoor seating area. The results of a monitoring period should be available prior to the committee meeting and this may influence the suggested times above. The addendum will be updated accordingly at that time.

Highways safety and parking

24. Pertinent policies are: Adopted Chorley Local Plan 2012 – 2026, policies BNE1(c), ST4 and Appendix A.
25. The site is an established restaurant with an existing car park. The principal change brought about as a result of this application is that the car park has been resurfaced and clearly marked out and now includes defined parking spaces for disabled people. Visually and operationally this is a significant improvement on the previous situation.
26. The parking provision accords with the Council's parking standards as set out in the Adopted Chorley Local Plan 2012 – 2026, policy ST4 and appendix A and furthermore accords with policy BNE1(c).

Overall Conclusion

27. The application is considered to be in conformity with the aforementioned legislation, policies and stated paragraphs from the Framework, and the application is accordingly recommended for approval.

Planning Policies

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

material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

81/00750/FUL	Change of use to restaurant	PERFPP	01.12.1981
85/00149/ADV	Canopy	PERFPP	02.04.1985
85/00150/ADV	Two illuminated signs	PERFPP	02.04.1985
85/00221/FUL	Retention of canopy	PERFPP	02.04.1985
15/00578/FUL	Single storey side extension	PERFPP	04.08.2016
15/00628/LBC	Single storey side extension	PERLBC	04.08.2015
16/00332/ADV	Signage(retrospective)	Pending consideration	
16/00351/LBC	revised elevations, signage	Pending consideration	

Suggested Conditions

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

Ref:	Location Plan	8 April 2016
Ref: 6519/4 Rev B	Proposed Plans & Elevations – main building, store and neighbour screens	9 May 2016
Ref: 6519/5 Rev B	Proposed First Floor Plan	10 May 2016
Ref: 6519/6 Rev A	Proposed Elevations	10 May 2016
Ref: 6519/7 Rev B	Proposed Ground Floor Plan	10 May 2016
Ref: 6519/8 Rev B	Proposed Plan	10 May 2016
Ref: 6519/9 Rev C	Proposed Plans & Elevations	16 May 2016
Ref:	Proposed Canopy	8 April 2016
Ref:	Proposed Canopy	8 April 2016

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

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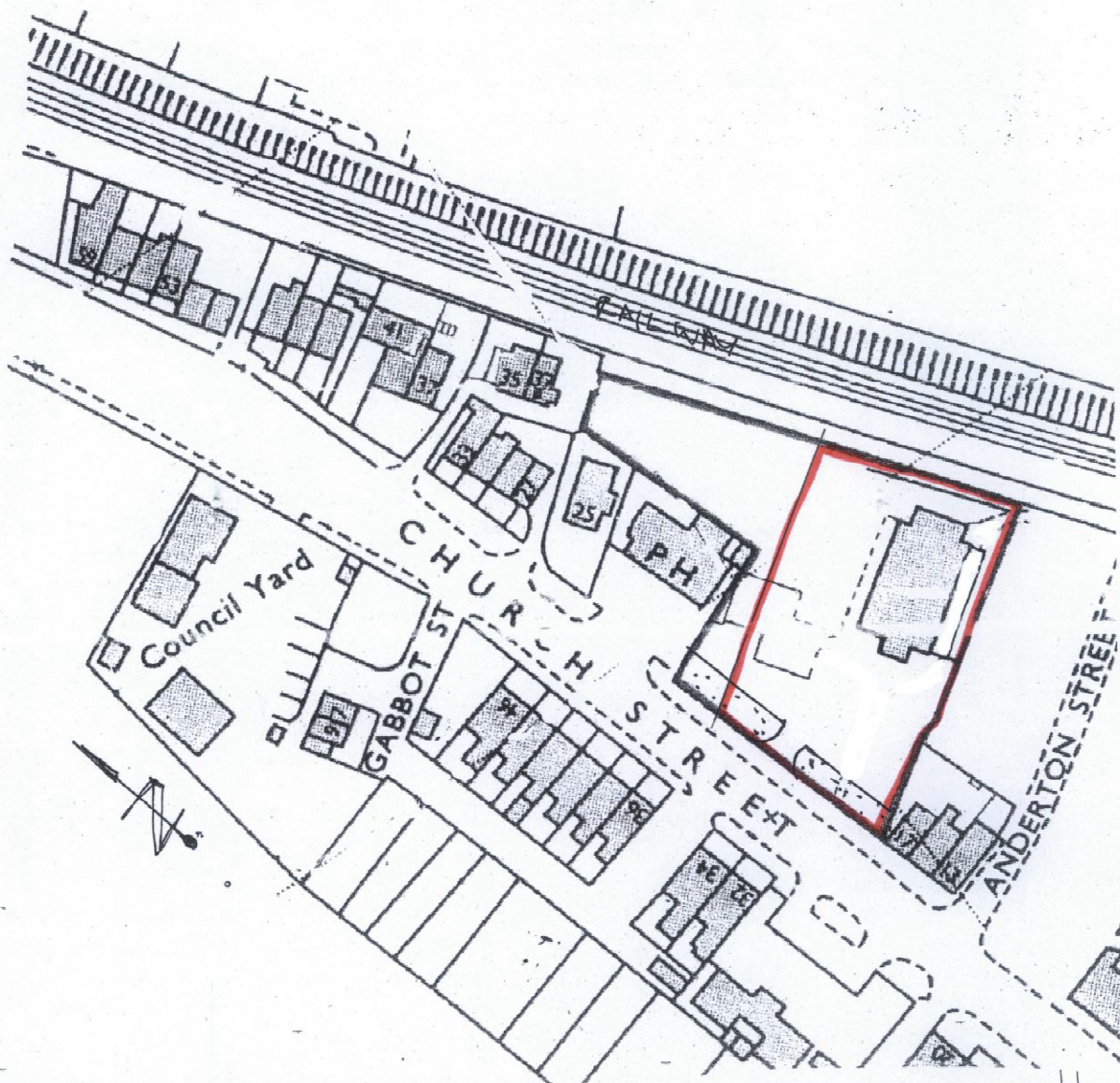
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retreat²
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LOCATION PLAN

PROPOSED
Grill Bar Restaurant
Christ Church, Church st
Adlington PR7 4EX

scale:	Job No	dwg
1:1250	6519	

R POTTER 01204: 707720
9 OSBOURNE CLOSE
FARNWORTH BOLTON BL47PL

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Item 3f	16/00351/LBC
Case Officer	Ian Heywood
Ward	Adlington & Anderton
Proposal	Listed Building Consent for retention of revised elevations, including rear extract flue, glazed front canopy, external planters & barriers. Erection of 1800/1500 high vertical close boarded neighbour screens to side boundaries.
Location	Retreat Restaurants 19 Church Street Adlington Chorley PR7 4EX
Applicant	Mr J Guest
Consultation expiry:	14/06/2016
Decision due by:	28/06/2016

Recommendation

It is recommended that this application is approved.

Representations

Adlington Town Council: Has registered an objection to this application and the concurrent applications for advertisement consent and listed building consent. Their chief ground for objection to this application is that the details of the application do not reflect the built development on the ground and that there are inconsistencies between the plans. Amended drawings were subsequently submitted to address these points.

The town Council also raises concerns about noise emanating from the outside seating area and causing harm to the amenity of the nearby neighbouring residential property.

One representation has been received objecting to the development on the same grounds as indicated by Adlington Town Council

Consultees

Consultee	Summary of Comments received
Consultations were not requested for this application.	N/A

Assessment**The Site**

1. The site consists of a grade II listed church building that was originally converted to an Indian restaurant, after deconsecration, in in early 1980s. The conversion and use of the site included an amount of signage, some of which being still in-situ when the current owner acquired the site last year.
2. The building is set back from the highway and includes an external terrace and seating area, parking, a grass verge and a pavement that altogether gives a separation distance of approximately 30 metres. The existing signage included a column mounted typical pub style illuminated sign set within the grass verge and non-illuminated signs close to the building.

3. The site is within the settlement of Adlington and is an established restaurant business, albeit that the particular business ceased trading a couple of years ago. As a result the site had become neglected and the building was in desperate need of repairs and refurbishment.
4. The building is constructed of local sandstone with a slate roof.
5. Permission was granted recently for repairs and refurbishment works including a new extension to the building. These works have been completed but additional works have also been undertaken for which concurrent applications to this one have been submitted.

The Proposal

6. This application seeks listed building consent for retention of the revised elevations, including rear extract flue, glazed front canopy, external planters and barriers. These are additional works over and above those for which consent was previously granted. The external terrace and seating area did exist previously, however latterly under the previous owner this was little used. Nevertheless it is pre-existing and is shown on the approved plan from when consent for conversion from a church to a restaurant was granted in 1981. Likewise the car park was also pre-existing and has simply been resurfaced and marked out.

Assessment

The main issues are as follows:-

Issue 1 – The impact of the works on the appearance of the listed building

The impact of the works on the appearance of the listed building/the significance of a designated heritage asset.

7. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the ‘*Special considerations affecting planning functions*’.

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.

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

8. 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.
9. 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.*’
10. 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.'*

11. 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.'*
12. 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.'*
13. 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.'*
14. 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.'*
15. 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.'*
16. 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.'*
17. 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.'*
18. In this case the applicant and agent undertook pre-application discussions with the case officer, resulting in a scheme that is considered to preserve the appearance of the listed building and to sustain the significance of this designated heritage asset.
19. Whilst in the ownership of the previous owner the building and the site generally had been neglected and had taken on an air of dereliction and decay. The business had failed and the

owner had taken to camping out in the tower. Internally the building was in a shocking condition and had a 'Mary Celeste' appearance whereby the remnants of the last served meal, glasses, crockery and cutlery were just as they had been left by the last customers and staff. The exterior had also developed faults with leaking gutters and rainwater pipes, rotten windows and a motley collection of storage containers at the back of the site that were used as food and drink storage units and for the storage of surplus equipment.

20. The works both previously approved and subsequently undertaken are considered to enhance the appearance of the listed building and the area generally. Consequently it is considered that the application is in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the above listed paragraphs of the Framework and the stated local planning policies.

Overall Conclusion

21. The application is considered to be in conformity with the aforementioned legislation, policies and stated paragraphs from the Framework, and the application is accordingly recommended for approval.

Planning Policies

The Planning (Listed Building and Conservation Areas) Act 1990 states that the Local Planning Authority has a primary duty in relation to listed buildings to 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. Policy 16 of the Central Lancashire Core Strategy, 'Heritage Assets' and Policy BNE8, 'Protection and Enhancement of Heritage Assets' of the Adopted Chorley Local Plan 2012 - 2026 seek to protect and enhance the Borough's heritage. Also of relevance is the Framework (National Planning Policy Framework), section 12.

Planning History

81/00750/FUL	Change of use to restaurant	PERFPP	01.12.1981
85/00149/ADV	Canopy	PERFPP	02.04.1985
85/00150/ADV	Two illuminated signs	PERFPP	02.04.1985
85/00221/FUL	Retention of canopy	PERFPP	02.04.1985
15/00578/FUL	Single storey side extension	PERFPP	04.08.2016
15/00628/LBC	Single storey side extension	PERLBC	04.08.2015
16/00332/ADV	Signage(retrospective)	PCO	
16/00350/FUL	revised elevations, signage	PCO	

Suggested Conditions

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

Ref:	Location Plan	8 April 2016
Ref: 6519/4 Rev B	Proposed Plans & Elevations – main building, store and neighbour screens	9 May 2016
Ref: 6519/5 Rev B	Proposed First Floor Plan	10 May 2016
Ref: 6519/6 Rev A	Proposed Elevations	10 May 2016
Ref: 6519/7 Rev B	Proposed Ground Floor Plan	10 May 2016
Ref: 6519/8 Rev B	Proposed Plan	10 May 2016
Ref: 6519/9 Rev C	Proposed Plans & Elevations	16 May 2016
Ref:	Proposed Canopy	8 April 2016

Ref:

Proposed Canopy

8 April 2016

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

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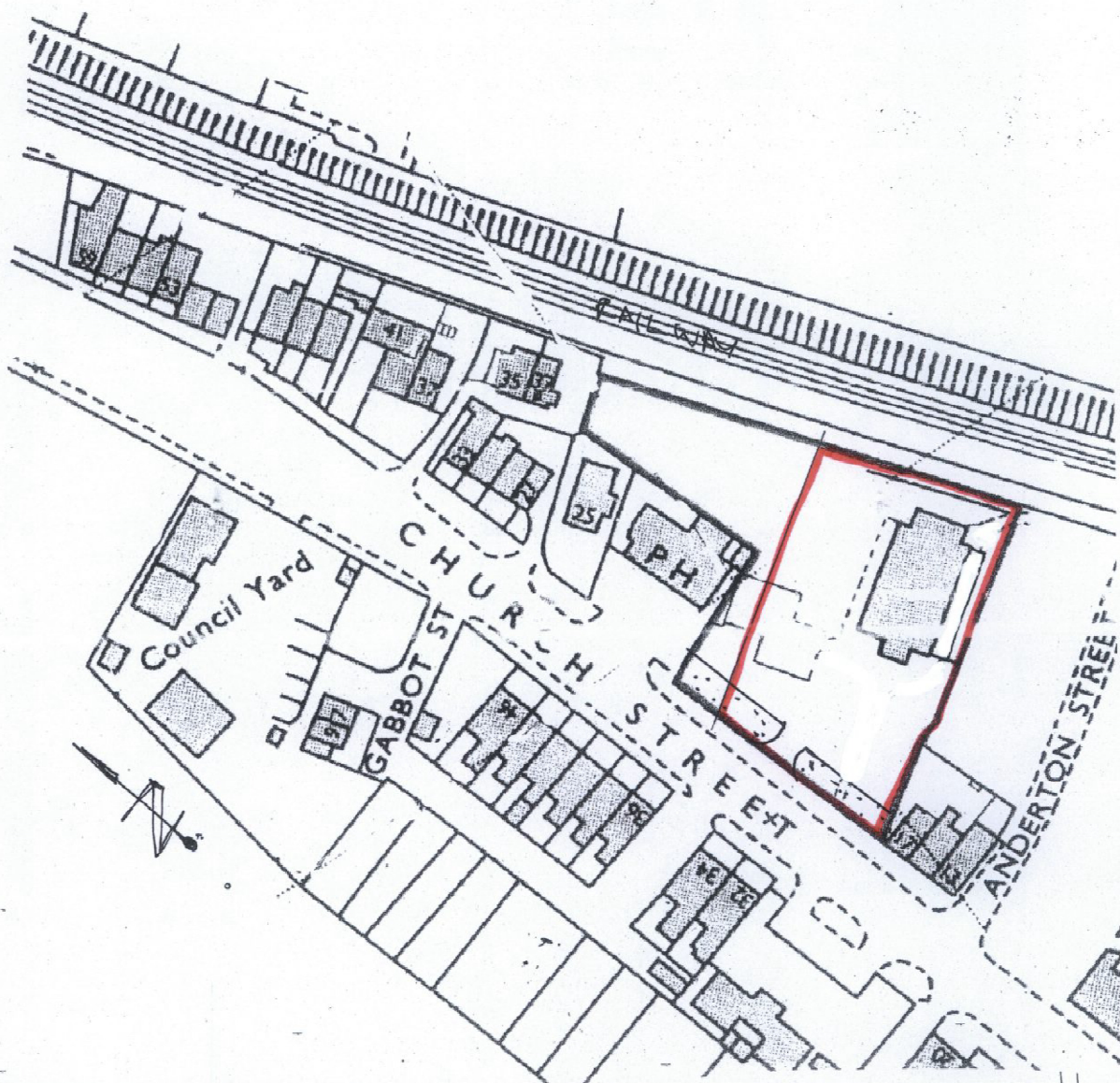
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LOCATION PLAN

PROPOSED
Grill Bar Restaurant
Christ Church, Church st
Adlington PR7 4EX

scale:	Job No	dwg
1:1250	6519	

R POTTER 01204: 707720
9 OSBOURNE CLOSE
FARNWORTH BOLTON BL47PL

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Item 3g	16/00192/FULMAJ
Case Officer	Ian Heywood
Ward	Chorley South East
Proposal	Demolition of existing church hall and public house and erection of new building to accommodate Chorley Youth Zone.
Location	The Arts Partnership, Chorley Community Centre, Chorley, PR7 2TZ
Applicant	Chorley Youth Zone
Consultation expiry:	5 April 2016
Decision due by:	29 July 2016
Recommendation	Permit Full Planning Permission

Executive Summary

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

Representations

Seven objections have been received which are summarised below.

- Additional noise
- Anti-social behaviour
- Increased likelihood/fear of crime
- Highways safety and lack of parking
- Detrimental impact on local ecology
- Loss of historic interest
- Hazards of demolition
- Other, more suitable sites available elsewhere
- Overlooking/loss of privacy
- Loss of natural light.

Consultees

Consultee	Summary of Comments received
United Utilities	No objection, subject to conditions
Lancashire County Council Highways	No objection in principle, but amendments sought and conditions suggested
Greater Manchester Ecology Unit	No objection, subject to conditions
Chorley Council Environmental Health	No objections

Chorley Council Planning Policy	No objections
Chorley Council Waste & Contaminated Land Officer	No comments to make
Lancashire Police – Designing Out Crime Officer	Recommendations provided for minimising the possibility of criminal activity within the immediate vicinity of the building.
The Coal Authority	Standing advice, low risk area.

Description of the site

1. The site includes the former Methodist Church hall, a surface car park thereto and a public house. The Methodist Church building itself was demolished many years ago and is now occupied by the aforementioned surface car park. The former church hall, now the Arts Partnership, to which the church was previously attached, is actually a slightly newer building than the church, although it copied much of the style and materials of that now long demolished building. From what remains on site it is clear that when the church was demolished – possibly in the 1950s or 60s – it was not a very clean break as remnants of the old building remain where it has been roughly severed from its neighbour. Parts of door or window openings remain in faience/terracotta on the Railway Street elevation.
2. The public house, which curiously has one name to the Railway Street elevation – The Station Hotel – and another to the Chapel Street elevation – The Leigh Arms, dates approximately from the 1840s. Both buildings are constructed of local brick with either stone detailing in the pub and faience/terracotta in the Arts Centre. Both have been altered to some extent throughout their existence including changes to the original roofing material, window frames, chimneys and gutters for the pub and a myriad of alterations to the Arts Centre. Neither building could be described as being in optimum condition.
3. The whole site is within the Chorley St George’s Street Conservation Area, which was designated by Chorley Council in December 1985 and reviewed again in 2009. The pub is within the Town Centre as defined by the Adopted Chorley Local Plan 2012 – 2026 whilst the Arts Centre is just outside. The site sits immediately adjacent to the relatively modern bus station to the north, the town centre by-pass road, Chorley railway station and the Bolton to Preston railway line to the east and a number of streets of 19th Century terraced housing to the south and south west with a parade of 19th Century shops and Chorley town centre to the west and north west.
4. The current buildings are two-storeys in height but given their age are higher than the adjacent two storey dwellings. St George’s Church, which is listed at grade II, the Shepherds Victoria Hall and the former Queens Hotel are ‘locally important’ and all are key buildings within the vicinity, the streetscape and the skyline being all considerably taller than their immediate neighbours. The relatively modern (post 1960s) town centre by-pass that runs parallel to but set on a rising gradient in a southerly direction relative to the virtually level Railway Street. Occupants of vehicles and pedestrians traversing the by-pass thus are afforded a slightly elevated view of the site as they approach from the south of the town centre.

Assessment

Principle of the Development

5. Pertinent policies are: Central Lancashire Core Strategy (2012), policies 1, 11, 24, 25; Adopted Chorley Local Plan 2012 – 2026, policy EP5.
6. These policies seek to locate and promote appropriate growth within specific areas and specifically within Chorley Town Centre. Here they seek to protect and support land uses that support the economic prosperity and vitality of the town centre whilst at the same time providing services to satisfy identified local demand for sport, recreation and community facilities.
7. The proposal seeks to satisfy all of these objectives and meet a specifically identified need

within the wider community. The applicant has undertaken an assessment of a number of alternative sites throughout both the immediate and wider area which demonstrate that this is the most suitable site for the proposed development in terms of location, access, size and availability.

8. As such it is considered that the proposed development meets the requirements of the aforementioned policies.

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

9. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 are relevant to the '*Special considerations affecting planning functions*'.

10. 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.*

11. 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

12. 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.

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14. 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*
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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.'*

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22. In this case the buildings to be demolished, whilst they are in the St George's Street Conservation Area, are otherwise undesignated. Whilst they have some degree of local significance their loss is considered to be outweighed by the public benefit that the creation of the Youth Zone will provide. Furthermore the design of the proposed building is considered to add quality to the streetscene and to enhance the visual amenity of the area.
23. The proposed development is therefore considered to either preserve or enhance the appearance of the St George's Street Conservation Area and to sustain the significance of this designated heritage asset. The proposal is thus seen to be in conformity with S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the above listed paragraphs of the Framework and the stated local planning policies.

Highway Safety and Parking

24. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policies BNE1(d) and ST4.
25. The aforementioned policies seek to maintain highway safety and ensure developments adhere to the Council's parking standards.
26. In this case the principal users of the proposed facility will be, as the name suggests, 'youths' who, by virtue of their age will, in the main, not be drivers. Instead it is envisaged that they will either make their own way to the facility by public transport to the immediately adjacent bus, railway stations or taxi ranks or be dropped off using the proposed 'drop off area' on Railway Street.
27. Lancashire County Council's Highways Engineer has commented that whilst they have

no objection in principle, they are looking for some amendments to the scheme, a full travel plan and a financial contribution of £12,000 towards the provision of highway services that will include, amongst a number of services:

- a. Appraisal of the travel plan
- b. Monitoring for 5 years post implementation
- c. Ongoing advice and guidance

28. The applicant has now amended the scheme in the light of comments received from LCC. They have been requested to enter into a legal agreement regarding the aforementioned travel plan. However, as an alternative, the developer has offered to engage their own highways consultant to undertake the aforementioned work.
29. A suitably worded condition will secure the aforementioned travel plan and the other requirements of LCC Highways.

Impact on the amenity of neighbours

30. Pertinent Policies are: Adopted Chorley Local Plan 2012 – 2026, Policy BNE1(b) and (g).
31. This policy seeks to protect the amenity currently enjoyed by neighbouring residential properties from the potential impacts of proposed development in terms of overlooking, noise, smells, crime – or more probably the fear of crime - and any other facet of life that may be altered by development. To assist in this regard the applicant has submitted an acoustic report that predicts the future noise emissions from the building, including that from users and plant – air conditioning units etc.
32. The Council's Environmental Health Officers have examined this report and conclude that in their professional opinion the proposed development will be acceptable in terms of noise emissions.
33. In terms of overlooking or overbearing impact, whilst the building is taller than the neighbouring residential terraced properties, the design has been evolved with input from Council officers to minimise this impact. The section of the proposed building on Albert Street has been deliberately stepped down where it is closest to the adjacent terraced properties to a comparable height and in this area the rear elevation of the building is completely devoid of windows.
34. In terms of the potential for overlooking or the potential for there being an overbearing impact, the relationship between the proposed building and the neighbouring residential properties is considered to be acceptable and to meet with the Council's policy.
35. The location of the building is to the east of the existing residential properties. As such the degree to which sunlight will be blocked from the adjacent properties is considered to be minimal and will not be significantly different to the current situation. The agent has supplied a series of drawings that provide 'sun path analysis' in both winter and summer at different times of the day which provides support for this view.
36. In terms of increasing the incidence of crime and anti-social behaviour the evidence supplied by the applicant from other similar schemes that have already been implemented elsewhere demonstrates that such fears are unfounded.

Ecology

37. 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.
38. The applicant has submitted an ecology report and a further bat survey report. These have been examined by the Council's ecological advisors.
39. The survey found that the public house supports a summer day roost for a single common pipistrelle bat. As this roost would be destroyed by the demolition of the pub as proposed, a licence will be required to allow the development to proceed.
40. In terms of the Habitats Directive and its enactment via the Conservation of Habitats and Species Regulations, the application is required to consider the three 'derogation

tests', in this case with specific reference to bats:

- a. That the development is "in the interest of public health and public safety, or for other imperative reasons of overriding public interest, including those of a social or economic nature and beneficial consequence of primary importance for the environment";
 - b. That there is "no satisfactory alternative";
 - c. That the derogation is "not detrimental to the maintenance of populations of the species concerned at a favourable conservation status in their natural range".
41. In this case it is considered that the first two derogation tests have been met. As regards the third, a detailed bat survey has been undertaken and mitigation measures have been proposed. These measures are considered to be acceptable by the Greater Manchester Ecology Unit and it only remains for a condition securing the implementation of the proposed mitigation measures to be submitted and approved prior to the first occupation of the development. It is therefore considered that the third test is also met.
42. The report also recorded hedgehogs on the site and the ecologist also therefore recommends the reasonable avoidance measures outlined in the bat report should be followed to prevent harm to this species. This can be secured via a condition.

Flood Risk

43. Pertinent policies are: Adopted Central Lancashire Core Strategy (2012), policy 29.
44. The site lies with Flood Zone 1, the 1 in 1000 year flood event. As such the proposed development site is judged to be at very low risk from flooding. The applicant has supplied a comprehensive Flood Risk Assessment. This concludes that the development type is appropriate for this location. The report recommends surface water attenuation designed for the 1 in 100 plus 30% storm event which is to be achieved with the use of attenuation tanks and flow control devices. The proposal is considered to be acceptable.

Overall Conclusion

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

Planning Policies

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

Planning History

Ref: 5/1/01061 **Decision:** PERFPP **Decision Date:** 29 April 1958

Description: Change of use from place of religious worship and Sunday school to community welfare centre.

Ref: 79/00182/FUL **Decision:** DEEMED **Decision Date:** 30 April 1979

Description: Parking and sitting area

Ref: 81/01061/FUL **Decision:** PERFPP **Decision Date:** 9 February 1982

Description: Rebuilding Committee Room

Ref: 02/00833/FUL **Decision:** PERFPP **Decision Date:** 17 October 2002

Description: Erection of porch to front and construction of glazed roof over passage,

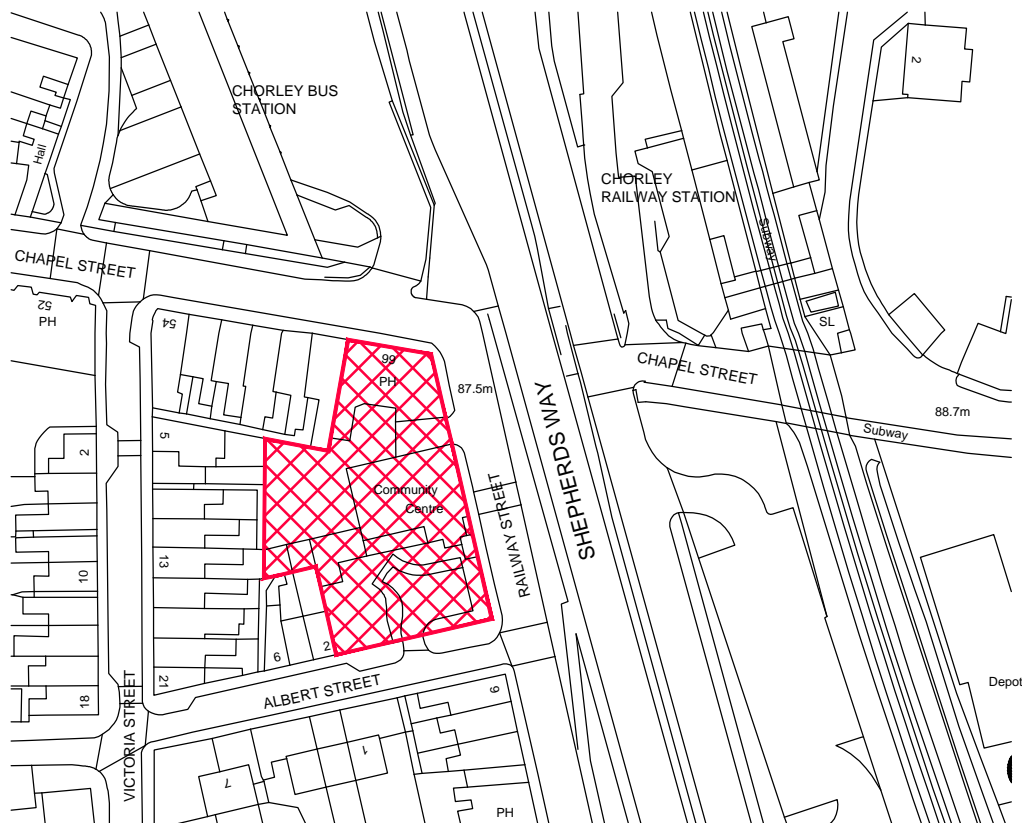
Ref: 06/01140/FUL **Decision:** WDN **Decision Date:** 23 February 2007

Description: The siting of a temporary Portacabin® on the carpark adjacent to the Community Centre for approximately 24 months

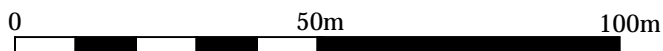
Proposed Conditions/Reasons for Refusal

No.	Condition																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																								
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="0" data-bbox="352 640 1367 887"> <tr> <td>Location Plan</td> <td>Ref 23:14</td> <td>received 02.03.2016</td> </tr> <tr> <td>Floor Plans</td> <td>Ref P1D</td> <td>received 02.03.2016</td> </tr> <tr> <td>Elevations – coloured illumination</td> <td>Ref P2B</td> <td>received 02.03.2016</td> </tr> <tr> <td>Elevations sheet 2 – coloured illumination</td> <td>Ref P3B</td> <td>received 02.03.2016</td> </tr> <tr> <td>Sections</td> <td>Ref P4B</td> <td>received 02.03.2016</td> </tr> <tr> <td>Demolition Areas – site plan</td> <td>Ref 23:14:27B</td> <td>received 12.05.2016</td> </tr> <tr> <td>External lighting plan & elevations</td> <td>Ref E005</td> <td>received 08.06.2016</td> </tr> <tr> <td>WYG Bat survey report</td> <td></td> <td>received 07.07.2016</td> </tr> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Location Plan	Ref 23:14	received 02.03.2016	Floor Plans	Ref P1D	received 02.03.2016	Elevations – coloured illumination	Ref P2B	received 02.03.2016	Elevations sheet 2 – coloured illumination	Ref P3B	received 02.03.2016	Sections	Ref P4B	received 02.03.2016	Demolition Areas – site plan	Ref 23:14:27B	received 12.05.2016	External lighting plan & elevations	Ref E005	received 08.06.2016	WYG Bat survey report		received 07.07.2016
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3.	<p>The external facing materials, detailed on the approved plans shall be used and no others substituted. These are:</p> <p>‘Trespa Meteon’ rainscreen cladding ref A08.4.5 Lancashire Red bricks Lancashire Blue bricks Kingspan Micro-Rib silver Mid grey curtain wall framing system.</p> <p><i>Reason: to ensure that the materials used are visually appropriate to the locality.</i></p>																								
4.	<p>The development hereby approved shall be constructed in accordance with the bat mitigation measures as defined in the submitted report received by the Council on 14 July 2016.</p> <p><i>Reason: To safeguard protected species of bat and their habitats.</i></p>																								
5.	<p>No demolition works shall take place during the main bird breeding season (March to July inclusive) unless birds are found to be absent by a suitably qualified person.</p> <p><i>Reason: To safeguard protected and endangered species of bird and their habitats.</i></p>																								
6.	<p>Feral pigeon nests must not be disturbed during the course of demolition without having first obtained a general license from Natural England.</p> <p><i>Reason: Required under the terms of the Wildlife and Countryside Act 1981 (as</i></p>																								
7.	<p>The development hereby permitted shall be constructed in accordance with the mitigation measures contained within the submitted HL Structural Engineers Flood Risk Assessment dated 25 April 2016.</p> <p><i>Reason: To ensure that the proposed development does not cause additional flood risk to neighbouring properties.</i></p>																								
8.	<p>Prior to the first use of the development a Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be implemented within the timescale set out in the approved plan and will be audited and updated at intervals not greater than 18 months to ensure that the approved plan is carried out..</p> <p><i>Reason: To promote and provide access to sustainable transport/multi-modal options.</i></p>																								

<p>9.</p>	<p>No part of the development hereby approved shall commence unless and until a scheme for the construction of the site access and the off-site works of highway improvement have been submitted to and approved by the Local Planning Authority.</p> <p>Reason: In order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable before works commence on site.</p>
<p>10.</p>	<p>No part of the development hereby approved shall be occupied unless and until the approved schemes/works referred to in condition 9 have been constructed and completed in accordance with the scheme details.</p> <p>Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</p>



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**PROPOSED YOUTH ZONE
CHORLEY**

LOCATION PLAN



The Old Telephone Exchange
Albert Street
Rugby
Warwickshire
CV21 2SA
Tel: (01788) 576137

Drawn:	Adam Greatrex
Date:	July 2015
Scale:	1:1250 at A4
Dwg No.	23:14:LOC

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3h	16/00213/FULMAJ
Case Officer	Caron Taylor
Ward	Adlington and Anderton
Proposal	Erection of two new poultry sheds on existing farm (measuring 94m x 24m each) along with two feed silos (7.4m high).
Location	Adlington Hall Farm The Common Adlington Chorley PR7 4DT
Applicant	Mr Paul Bowling
Consultation expiry:	3rd May 2016
Decision due by:	13th June 2016

Recommendation

That the application is approved.

Representations

No representations have been received.

Consultees

Consultee	Summary of Comments received
The Coal Authority	<p>State they concur with the recommendations contained within the Coal Mining Risk Assessment Report [submitted with the application]; that coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues on the site.</p> <p>The Coal Authority recommends that the Council impose a planning condition should planning permission be granted for the proposed development requiring these works prior to commencement of development and remedial works as necessary.</p>
Lead Local Flood Authority	The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions relating to surface water drainage, its implementation, management and maintenance.
United Utilities	<p>On review of the submitted planning application form, United Utilities notes the applicant proposes to discharge surface water via soakaway. The application currently does not include any water drainage strategy for how the proposal will deal with (clean) surface water and also the disposal of other wastewaters, for example used for cleaning of the sheds or control of manure.</p> <p>It appears that the poultry huts will be in close proximity to a water carrier (channel) that feeds directly into the Worthington Reservoir chain. Before any construction work begins it is imperative that the applicant includes in their plans mitigation to prevent run off or contamination of this water carrier in any way; including how manure & effluent will be managed &</p>

	<p>disposed of. Consideration should also be given to other forms of pollution entering the water channel such as from the build-up of dust, both during the construction phase and also during the operating lifetime of the sheds.</p> <p>We strongly recommend that information is submitted for consideration prior to the determination of this application which demonstrates that the water environment will not be harmed. Should the Council be minded to grant consent in advance of receipt of this information, we have provided possible planning conditions that should be placed on any planning approval:</p>
Council's Ecology Advisor	See body of report.
Environmental Health	Following a site visit and having made enquiries concerning the management and disposal of chicken manure from the proposed poultry sheds, they are satisfied that the proposal is unlikely to cause a statutory nuisance in terms of noise, odour or flies. They have checked the records held by the Environmental Health section and can find no history of complaints relating to the existing poultry sheds at the premises. They have no objection to the application.
LCC Highways	They consider the proposal is acceptable, although they note that the transport route to the site is within Wigan so they may have additional highway comments on the proposal. They note the narrow width of the access road/footpath from the A5106 to the site and ask for a condition to be applied for three permanent passing places along the section that is a public right of way to allow large vehicles from opposing direction to safely pass each other, to be in places before development commences.
Coal Authority	The application is within a high risk coal mining area. See body of report.

Background

1. The proposal is for two new poultry sheds on an existing farm (measuring 94m x 24m each) along with two feed silos (7.4m high). The sheds would be for broiler chickens (raised for meat).
2. The farm has been owned by the family since 1954 when the applicant's father-in-law taking charge in 1982 when his father died. The farm's main business is poultry meat. Currently they have five sheds which house 103,000 chickens in total. Chicks are delivered to the site and they then grow the birds to slaughter weight over a 7 week period, there are then two weeks of no birds on the farm as the sheds are cleared out and then the cycle repeats. They are now looking to invest and expand. Of the five existing poultry sheds, three of them are adjacent to the ones now proposed. If permitted, the proposal would increase the capacity of the farm to some 187,000 bird places. Live birds are currently sold to a large poultry processing company the proposed expansion will represent a large capital investment for the business.
3. The Council's agricultural advisor states there has been steady output growth in the chicken sector in recent years as chicken consumption levels have been increasing. Whilst the sector is generally buoyant, margins per bird may be low and profitability is dependent upon good flock performance, high standards of management and economies of scale.
4. The unit as it currently stands is comparatively small in scale. Meat processors generally prefer to work with larger producers and the additional poultry houses may help to secure the longer-term future of the business.

Assessment

Principle of the Development

5. The application site is in the Green Belt. In accordance with paragraph 89 of the National Planning Policy Framework (the Framework) buildings for agriculture such as those proposed are not inappropriate development.

6. Proposal must also be assessed against paras 79 and 80 of the Framework which set out the general green belt policy objectives of preserving openness which relates to scale, bulk and site coverage, and of preventing encroachment on the countryside.
7. The application site is a plateau of land situated to the south of three existing poultry sheds and four existing associated feed silos. The land is sited between the access road to the farm from Chorley Road (to the east) and a watercourse to the west. The southern boundary of the site is clearly defined by line of trees. It is considered the proposal does not conflict with the five purposes of including land within the Green Belt. Although there will be new buildings of some substantial size they will be adjacent to existing buildings and viewed in the context of them from nearly all vantage points. The site is clearly defined by the existing buildings and other landscape features which the development will be contained within, so it is not considered the proposal will result in encroachment into the countryside. The proposal is therefore considered acceptable in principal.

Design and Layout

8. The Core Strategy Supplementary Planning Document (SPD) – Rural Development explains that agricultural buildings should not have a detrimental impact on the visual amenity or the landscape character of the area. It also explains that sensitive siting within the landscape is essential to ensure that there is the least amount of impact on the location and the surrounding landscape. This SPD also discusses the importance and impact that the size and overall external appearance of an agricultural building can have on the landscape.
9. There are three existing poultry sheds on the site, two older wooden clad buildings and a third more modern building clad in pale green powder coated steel sheeting. All the buildings have gable ends with a central ridge line. The proposed buildings would be sited to the south of the newest building and although larger in floor area at approximately 94.5m x 24.7m each they are considered to be in keeping with the existing poultry sheds in their design with gable ends and a pitched roof. Both proposed buildings would be clad in steel sheeting, the roof in goosewing grey and the walls in juniper green. The feed silos would match the existing on the site and would be clad in juniper green.
10. The position of the buildings would be between those which exist to the north and the tree line to the south and would be bound by the access track to the farmhouse to the east and a watercourse to the west. The ridgeline of the proposed buildings would be parallel to those which exist (on an east-west axis). The topography of the land rises to the east so there will not be views of the buildings in the landscape from this direction. The existing tree line will screen the majority of views from the south and the existing buildings will screen views from the north. The topography of the land does drop away to the west so the buildings will be visible from afar in the landscape from this direction, however they will be seen in the context of the existing buildings and as the land rises beyond them to the east they will be viewed against the backdrop of the landscape rather than on the skyline. The applicant has supplied the colours of the buildings and feed silos and it is considered this will help them blend into the landscape.
11. The proposal is therefore considered acceptable in relation to design and layout.

Smell/Flies

12. As with many agricultural activities there is the potential for odours and flies which could impact on the surrounding area.
13. In this case the litter (chicken manure) would remain inside the sheds and removed dry at the end of each chicken growing cycle (currently six cycles per year). The majority of the litter is exported off the farm as it is a valuable organic fertiliser for which there is great demand as it contains a high percentage of nitrogen and farmers use it instead of artificial nitrogen fertiliser. The farm is in a nitrate vulnerable zone (NVZ) so the disposal of any remaining litter is done under IPPC and NVS regulations enforced by the Environment Agency.
14. In terms of flies, any litter not taken off site and therefore spread on the fields is dry rather than moist and therefore does not attract flies.

15. The proposed litter will be disposed of in exactly the same way as the litter from the existing poultry sheds is at present.
16. The Council's Environmental Health Officer has visited the site and discussed the management and disposal of chicken manure from the proposed poultry sheds. They are satisfied that the proposal is unlikely to cause a statutory nuisance in terms of noise, odour or flies. They have also checked the records held by the Environmental Health section and can find no history of complaints relating to the existing poultry sheds at the premises. They have no objection to the application.
17. The current manager has been managing the farm for over 30 years and there have been no issues with flies or smells with the way the litter is disposed of, the same practices will continue with the new buildings.
18. It is not therefore considered that the proposal will result in unacceptable smells or attract flies that will cause a problem to the surroundings.

Neighbour Amenity

19. Policy BNE 1 (Design Criteria for New Development) of the adopted Chorley Local Plan explains that new development should not cause any significant detrimental harm to the overall natural and built environment. It is noted that there are no residential buildings within close proximity of the proposed buildings, reducing the potential impacts on residential amenity.
20. It is noted that several new dwellings are being constructed on the former Boles Farm site (over the borough boundary in Wigan), however it is considered the distance of the proposed buildings to these dwellings (approximately 200m) is acceptable in terms of noise, smells and general amenity. In addition the prevailing wind direction is the opposite direction to these properties. A letter was sent to the developer of these properties notifying them of the application. Wigan Council was also notified of the application, but no comments have been received.
21. Watergate Lodge is the nearest property to the proposed buildings and is sited at the junction of the access to the farm and the A5106 Chorley Road. It is just over the borough boundary in Wigan. The sheds themselves are considered acceptable in relation to this property as they would be approximately 100m away and will not be highly visible due to the land rising away from Chorley Road. The increase in traffic to the site will cause some increase in disturbance to this property above that from the existing deliveries to and from the existing sheds but it is not considered it would be so significant that it would be unacceptable when considering that this property is located at the access point of a long standing poultry business. This property has been notified of the application and no representations have been received.
22. The proposal is therefore considered acceptable in relation to neighbour amenity.

Landscaping

23. There is a line of trees on the southern boundary immediately adjacent to where the new sheds are proposed. The applicant has confirmed these trees will remain and the vast majority of the branches do not largely overhang, therefore only a very small number may need to be trimmed.
24. It is not considered that additional landscaping is required as the existing is to remain.

Highways

25. The new sheds will use the existing access off Chorley Road, Standish. Each of sheds will have a hard standing area in front of it that will match that in front of the existing sheds to meet the existing access track through the site that continues up to the farm house.
26. The increase in the number of poultry sheds will result in an increase in lorries to the site. The proposal will result in an additional 2 lorries (it is currently 2 or 3) delivering chicks at the beginning of the cycle. Feed is delivered by approximately 17 lorries during the 7 week growing cycle which will increase by approximately 13 additional lorries over the same period. Finally live bird

collections are undertaken. This is currently done by approximately 6 lorries on day 34 and 12 lorries on day 45 which will increase by approximately 7 lorries on day 34 and 15 lorries on day 45. No lorries visit the site for the 2 week period between growing cycles as there are no birds on the farm.

27. The applicant advises many of the deliveries are during the night so take place when the roads are quieter and ask that it is noted that there used to be landfill site that had an access point next to the application site, which has closed in the last few years. When this was operational there were multiple lorries visiting the tip per day, so even with the new sheds built the traffic on the A5106 Chorley Road would be considerably less than what it has been in years gone by.
28. The farm has two existing accesses from the highway, one from the A5106 Chorley Road, Standish and another from The Common, Adlington. The way the farm is laid out means the proposed poultry sheds would be located much closer to the Chorley Road access. This is the access point that would be used by vehicles accessing the proposed poultry sheds, as it is for the existing sheds, as it provides a much closer route to the nearest motorway junction (junction 27 of the M6), rather than going through Adlington.
29. The access from the farm is straight onto the Chorley Road, Standish which provides a short drive to the motorway. Although there will be an increase in vehicles, given that it is an A-road it is not considered the increase is unacceptable.
30. The request of LCC Highways regarding the creation of passing places near to the site entrance so two lorries can pass each other on the access track is noted. The applicant however advises they only have multiple lorries/large vehicles on site when they are catching the birds which happens six times a year. The catching is done to a strict timetable when every lorry has a designated time slot, as one arrives another one leaves so there is no clash on the drive/entrance. Further to this the lorry drivers are in constant communication with each other. They advise they have operated like this for around 30 years and lorries meeting on the drive has never been a problem. If it was an issue they state would have put passing places in many years ago as it is in their interest that the farm runs smoothly.
31. The farm clearly has a longstanding system in relation to lorries entering and exiting the farm that works effectively as it is not in their own interest to have a large number of lorries at the site. It is therefore not considered necessary to impose a condition regarding passing places.
32. The application is therefore considered acceptable in relation to highways.

Coal Mining

33. The application is within a high risk coal mining area as identified by The Coal Authority. A Coal Mining Risk Assessment has been submitted with the application as required for such areas. This has been reviewed by The Coal Authority and they concur with its findings that the coal mining legacy potentially poses a risk to the proposed development and that intrusive site investigation works should be undertaken prior to development in order to establish the exact situation regarding coal mining legacy issues. They recommend that the Council imposes a condition requiring these works to be carried out prior to commencement of development. The applicant is reviewing whether this work can be done prior to a decision being issued to avoid such a condition. This issue will therefore be updated on the committee addendum.

Drainage

34. Following the comments of United Utilities the applicant has clarified that the drainage scheme will be a French drain system down the sides of the buildings (this is also to conform to red tractor/farm assurance regulations, which reduces vermin activity). Surface water will therefore be dealt with by ground infiltration which is preferred method in accordance with the hierarchy for surface water disposal set out in the Planning Practice Guidance. The Lead Local Flood Authority has also asked for conditions giving details of this and the case officer has received a plan showing the layout of the proposed French drains. Although no geotechnical surgery has been undertaken to see if infiltration techniques are feasible, this system is successfully used for the three existing buildings directly next to the site and the farmer advises that this will be possible on the land. The

French drain system will be maintained and managed by the farm. The information submitted with the application is therefore considered acceptable in relation to surface water drainage.

35. Following United Utilities comments the applicant has clarified that for waste water/wash out of the buildings collection tanks will be installed that any waste water will drain into. The waste water in accordance with NVZ regulations regulated by the Environment Agency.

Ecology

36. An ecological survey has not been supplied with the application. The Council’s ecology advisor states they would normally expect to see an ecological appraisal for an agricultural development of this size. Whilst the site itself appears to be improved grassland there are habitats nearby that may support populations of protected species and more information is required prior to determination. Whilst this development from aerial photography appears to be improved grassland and therefore direct impacts will be low, there is a water course to the west that runs in to Arley Nature Reserve and Worthington Lakes and the nearby Buckow Brook has records of water vole protected under the Wildlife & Countryside Act 1981 (as amended). Any sediment or pollution run off during and post development could therefore have negative impacts on the ecology of these ecological features. There is also a woodland/shelterbelt immediately to the south which could have species such as badger present. As the more southerly poultry shed is immediately adjacent to these trees should such species be present negative impact on setts could occur. It is also unclear whether cutting back of the trees will be required given how close the building is positioned next to the boundary. Finally there appear to be at least two ponds within 250m of the development and there are historic records of great crested newts within the wider landscape.

37. The Council’s ecology advisor states however, notwithstanding the above, they do not expect that any potential ecological constraints would prevent the development as even if water vole, great crested newts were present, method statements could be drawn up to prevent harm during and post construction. They therefore advise that the application can either submit an ecological assessment by a suitably experienced bat worker prior to determination of the application including as a minimum an assessment of the potential impact on the adjacent water courses and wildlife sites to the south; shelterbelt to the south and the potential impact on great crested newts should they be present in the wider landscape. Alternatively the applicant could presume that species are present and reasonable avoidance method statements provided prior to determination.

38. The applicant has engaged an ecologist and is hoping to submit this information, therefore this matter will be updated on the committee addendum.

Overall Conclusion

39. The view of the Council’s agricultural advisor is that as the applicant would be making a sizeable investment into this proposal and as the applicant has five existing poultry sheds, it is considered that the intention of the applicant and their commitment is based upon the need to expand the enterprise as to meet demand from their agents who supply national food outlets. In general terms, their expansion could increase the viability of the unit due to economies of scale and increases in demand. The proposal is not inappropriate development in the Green Belt and in general, the principle of the development appears broadly in line with National and Local planning policy. The details of the application are considered acceptable and it is therefore recommended for approval.

Planning Policies

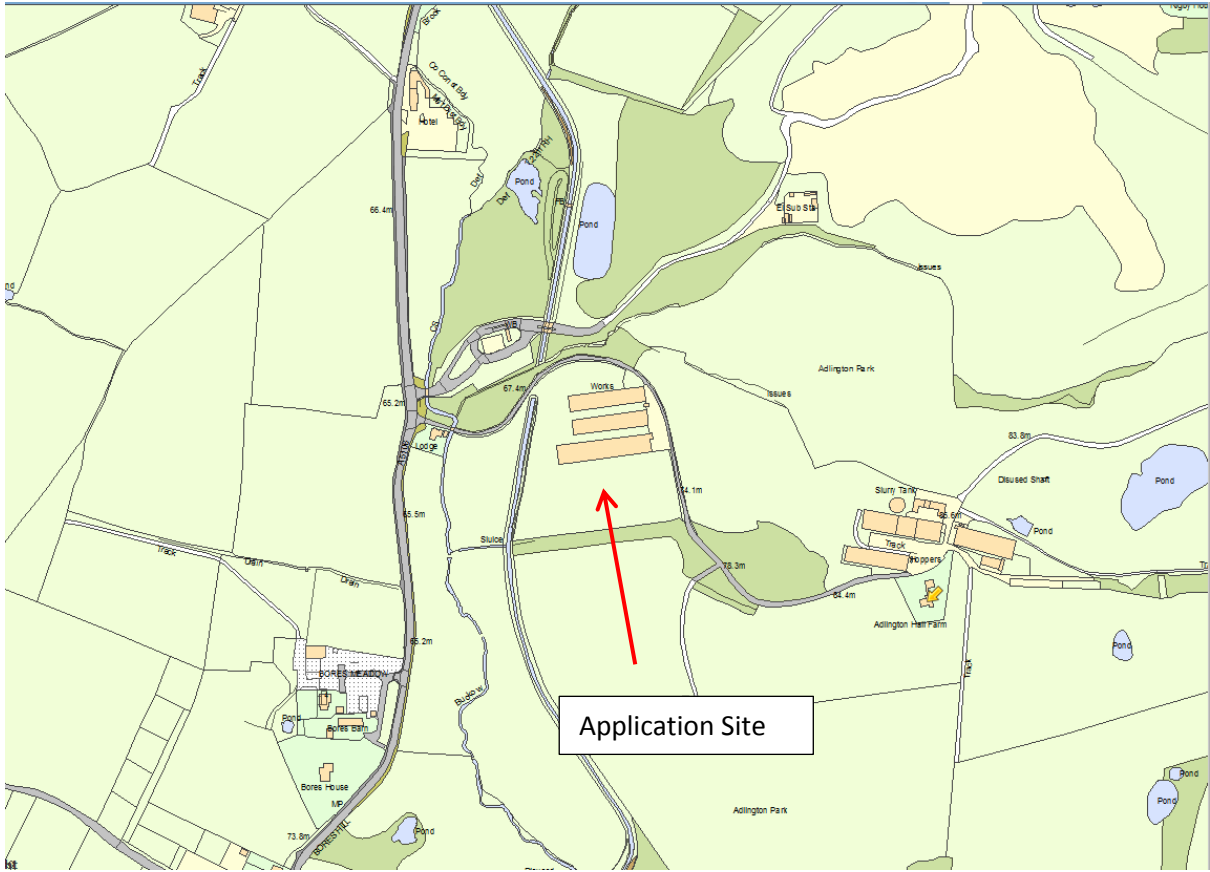
In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Suggested Conditions

No.	Condition
1.	1. The development hereby permitted shall be carried out in accordance with the following approved plans:

	<p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p> <p>Location Plan N/A 7 March 2016 Proposed New Poultry Unit [Floor Plans] N/A 6 March 2016 Proposed New Poultry Unit [Elevations] N/A 6 March 2016 Siting Plan for New Poultry Sheds N/A 16 March 2016 Plan Showing French Drains N/A 7 July 2016</p>
2.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>
3.	<p>The development shall be carried out in accordance with the drainage scheme shown on the approved plans.</p> <p><i>Reason: To secure proper drainage and to prevent flooding.</i></p>
4.	<p>The proposal shall be clad in the following colours: Roof of buildings - Goosewing Grey BS10A05 Walls of buildings and feed silos - Juniper Green BS12B29.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>

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3i **16/00522/P3PAO**

Case Officer **Caron Taylor**

Ward **Eccleston and Mawdesley**

Proposal **Prior approval application under Part 3, Class Q (a and b) of The Town and Country (General Permitted Development) Order 2015) for proposed change of use of agricultural building to 2 no. dwelling houses and associated building operations.**

Location **Orcheton House Farm
Wood Lane
Heskin
Chorley
PR7 5PA**

Applicant **Mr Richard Prideaux**

Consultation expiry: **21st July 2016**

Decision due by: **27th July 2016**

Recommendation
Prior approval is required and is granted.

Representations

Heskin Parish Council:

The Parish Council strongly object to two houses being built in a Green belt area. They advise that the applicant recently attended a meeting of Eccleston PC and admitted that he was seeking to take advantage of the 2015 legislation, which he undoubtedly is.

The Parish Council would hope that an unannounced site visit is made to the corrugated "shed" that he is seeking to convert. The legislation states that the building must have been used solely for Agriculture, this building hasn't. The legislation says that the building should not be on contaminated land. This area was once a tip. They would also urge the Council's Building Control officers to inspect the construction.

The other concerns are highway related and require the Council to confirm access and safety. Extra vehicles will be a hazard. They refer to a letter sent by the applicant dated 22nd February 2012 to Matthew Maude Planning officer Chorley Council para 5.7 which concludes "It's an accident waiting to happen".

They would also ask that a photograph of the "building" is produced and show to members what a "duplicitous" application this is.

Eccleston Parish Council:

The Parish Council objects on the following grounds:

Traffic issues - concerns regarding the additional vehicle movements created by the development. The proposal represents inappropriate development in the Green Belt. The application fails to demonstrate the prior use of the building as being solely for agricultural purposes.

No representations have been received to date. Any received will be placed on the committee addendum.

Consultees

Consultee	Summary of Comments received
Council's Contaminated Land Officer	Based on the available information, the Council currently has no concerns over land contamination in relation to this site. The site is unlikely to be determined as Contaminated Land.

Proposal

1. This is a prior approval application under Part 3, Class Q (a and b) of The Town and Country (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use of an agricultural building to 2 no. dwelling houses and associated building operations.

Site History

2. The building was erected under agricultural permitted development rights (application ref: 07/00969/PAR). It was the replacement of a barn that stood on the same site.

Procedure

3. The application is submitted under the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 which came into force on 15 April 2015. More specifically the application is made under Class Q of the Regulations.
4. Class Q makes provision for:
 - (a) a change of use of a building and any land within its curtilage from a use as an agricultural building to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order; and
 - (b) building operations reasonably necessary to convert the building referred to in paragraph (a) to a use falling within Class C3 (dwellinghouses) of that Schedule.
5. This application seeks prior approval under Class Q(a) and Class Q(b) as detailed above.
6. For the purposes of this part of the General Permitted Development Order "*agricultural building*" means a building used for agriculture and which is so used for the purposes of a trade or business, and excludes any dwellinghouse, and "*agricultural use*" refers to such uses.

Assessment

7. Under the provisions of the Regulations development under Class Q is not permitted where (assessment in bold):
 - (a) the site was not used solely for an agricultural use as part of an established agricultural unit—
 - (i) on 20th March 2013, or
 - (ii) in the case of a building which was in use before that date but was not in use on that date, when it was last in use **N/A**, or
 - (iii) in the case of a site which was brought into use after 20th March 2013, for a period of at least 10 years before the date development under Class Q begins; **N/A**

In terms of (i) the building was erected under an agricultural prior notification application in 2007 ref: 07/00969/PAR and the Council have no evidence to the contrary to dispute this.
 - (b) the cumulative floor space of the existing building or buildings changing use under Class Q within an established agricultural unit exceeds 450 square metres;
The existing floor space of the building is approximately 310m² (below the 450m² threshold);
 - (c) the cumulative number of separate dwellinghouses developed under Class Q within an established agricultural unit exceeds 3;
Two dwellinghouses will be developed under Class Q and no other dwellings have already been developed under this class.

(d) the site is occupied under an agricultural tenancy, unless the express consent of both the landlord and the tenant has been obtained;

The agent has confirmed that the building is not subject to an agricultural tenancy agreement and no such agreement has been terminated in the last year.

(e) less than 1 year before the date development begins—

(i) an agricultural tenancy over the site has been terminated, and

(ii) the termination was for the purpose of carrying out development under Class Q, unless both the landlord and the tenant have agreed in writing that the site is no longer required for agricultural use;

N/A see above

(f) development under Class A(a) or Class B(a) of Part 6 of this Schedule (agricultural buildings and operations) has been carried out on the established agricultural unit—

(i) since 20th March 2013; **the agent has confirmed that that no development under these classes have been carried out since then or**

(ii) where development under Class Q begins after 20th March 2023, during the period which is 10 years before the date development under Class Q begins;

N/A

(g) the development would result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point;

The conversion will not result in the external dimensions of the building extending beyond the external dimensions of the existing building at any given point.

(h) the development under Class Q (together with any previous development under Class Q) would result in a building or buildings having more than 450 square metres of floor space having a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order;

No other development has taken place under Class Q therefore this threshold will not be exceeded.

(i) the development under Class Q(b) would consist of building operations other than—

(i) the installation or replacement of—

(aa) windows, doors, roofs, or exterior walls, or

(bb) water, drainage, electricity, gas or other services,

to the extent reasonably necessary for the building to function as a dwellinghouse; and

(ii) partial demolition to the extent reasonably necessary to carry out building operations allowed by paragraph Q.1(i)(i);

The proposal does not consist of works that are not included in the above.

(j) the site is on article 2(3) land;

The site is not in a Conservation Area

(k) the site is, or forms part of—

(i) a site of special scientific interest;

(ii) a safety hazard area;

(iii) a military explosives storage area;

(l) the site is, or contains, a scheduled monument; or

(m) the building is a listed building.

None of the above k-m apply.

8. In accordance with Class Q the developer must apply to the local planning authority for a determination as to whether the prior approval of the authority will be required as to the items referred to in sub-paragraphs (1)(a) to (f) and the provisions of paragraph W (prior approval) of this Part apply in relation to that application.
9. Sub- paragraphs (1)(a) to (f) are as follows:
 - (a) transport and highways impacts of the development,
 - (b) noise impacts of the development,

- (c) contamination risks on the site,
- (d) flooding risks on the site,
- (e) whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwellinghouses) of the Schedule to the Use Classes Order,
- (f) the design or external appearance of the building.

10. Considering each of the above in turn:

- a) **The two dwellings would be accessed using the existing access to the site from Wood Lane. This is also used to access the fishery which has 33 fishing pegs. At the date of writing, Lancashire County Council Highways have not responded to the consultation, if they do, their comments will be placed on the addendum. It is not however considered that the increase in vehicles for two dwellings would result in a material change in the character of the traffic in the vicinity of the site.**
- b) **It is not considered that the proposal will result in unacceptable noise impacts. The nearest property is owned by the applicant. There is sufficient separation between the building and the nearest residential properties of High Heys Farm and Sierra Villa being over 30m away.**
- c) **In relation to the contamination risks on the site, the Council must determine whether, as a result of the proposed change of use, taking into account any proposed mitigation, the site will be contaminated land as described in Part 2A of the Environmental Protection Act 1990, The Council's Contaminated Land Officer has no concerns over ground contamination in relation to this site. This site has not been determined as Contaminated Land, and is unlikely to be determined as Contaminated Land. As such the site is unlikely to be contaminated land as described in Part 2A of the Environmental Act 1990.**
- d) **In terms of the flooding risks on the site, in accordance with criteria (6) of Paragraph W of Part 3, the site is not in Flood Zone 2 or 3. Although it is in Flood Zone 1 it is not in an area which has been notified to the authority by the Environment Agency to have critical drainage problems. The Council is not, therefore, required to consult the Environment Agency on the application.**
- e) **Requires determination as to whether the prior approval of the authority will be required as to whether the location or siting of the building makes it otherwise impractical or undesirable for the building to change from agricultural use to a use falling within Class C3 (dwelling houses) of the Schedule to the Use Classes Order. This is assessed below.**
- f) **The design or external appearance of the building. This is assessed below.**

Assessment of Criterion 'e'

11. Central Government have updated the Planning Practice Guidance (5th March 2015) in respect of this type of prior approval application. The updated guidance states:

Is there a sustainability prior approval for the change to residential use?

The permitted development right does not apply a test in relation to sustainability of location. This is deliberate as the right recognises that many agricultural buildings will not be in village settlements and may not be able to rely on public transport for their daily needs. Instead, the local planning authority can consider whether the location and siting of the building would make it impractical or undesirable to change use to a house.

What is meant by impractical or undesirable for the change to residential use?

Impractical or undesirable are not defined in the regulations, and the local planning authority should apply a reasonable ordinary dictionary meaning in making any judgment. Impractical reflects that the location and siting would "not be sensible or realistic", and undesirable reflects that it would be "harmful or objectionable".

When considering whether it is appropriate for the change of use to take place in a particular location, a local planning authority should start from the premise that the permitted development

right grants planning permission, subject to the prior approval requirements. That an agricultural building is in a location where the local planning authority would not normally grant planning permission for a new dwelling is not a sufficient reason for refusing prior approval.

There may, however, be circumstances where the impact cannot be mitigated. Therefore, when looking at location, local planning authorities may, for example, consider that because an agricultural building on the top of a hill with no road access, power source or other services its conversion is impractical. Additionally the location of the building whose use would change may be undesirable if it is adjacent to other uses such as intensive poultry farming buildings, silage storage or buildings with dangerous machines or chemicals.

When a local authority considers location and siting it should not therefore be applying tests from the National Planning Policy Framework except to the extent these are relevant to the subject matter of the prior approval. So, for example, factors such as whether the property is for a rural worker, or whether the design is of exceptional quality or innovative, are unlikely to be relevant.

12. The building has road access which although not up to adoptable standards, is sufficient for vehicles and as such is sufficient for two additional dwellinghouses. It is not considered there are factors in this case that would make the change of use undesirable taking into account the advice in the NPPG.
13. In terms of design and external appearance, the only changes externally would be window and door openings and these would be powder coated aluminium in blue black or similar. The design and external appearance is therefore considered acceptable.
14. Development under Class Q is permitted subject to the condition that development under Class Q(a), and under Class Q(b), if any, must be completed within a period of 3 years starting with the prior approval date.
15. In accordance with paragraph W there is a requirement to provide a written description of the proposed development, which must include any building or other operations. In this regard the agent has confirmed that the change of use utilises all existing openings for doorways, glazing and ventilation. New windows are proposed on the south east elevation and the south west elevation along with the inclusion of roof lights. The agent has confirmed that there may be partial demolition of areas, however this will only be to the extent reasonably necessary to carry out the above building works. This accords with Class Q.
16. **Assessment of criterion 'f' - the design or external appearance of the building.**
17. The proposed conversion utilises the existing cladded external walls and roof covering. The lower level blockwork walls will be retained and painted. Internal stud walls will be added to perimeter walls with insulation and the roof will also be insulated (with new roof lights added). New window and doors will be added and where existing openings are filled, then the same cladding as used on the rest of the building will be used. Internally the existing floor will have another floor and insulation added on top, with the upper end of the existing slab being cut out to get the depth for slab and insulation. Surface water drainage will remain as exists with new foul drains connected into the existing drain that runs across the front of the building. Connections will be run under the new raised floor construction. Apart from the insertion of new fenestration, the building will remain largely as exists externally and the design and external appearance is considered acceptable.

Curtilage

18. Paragraph X of Part 3 of the GPDO confirms that "curtilage" means—
 - (a) the piece of land, whether enclosed or unenclosed, immediately beside or around the agricultural building, closely associated with and serving the purposes of the agricultural building, or
 - (b) an area of land immediately beside or around the agricultural building no larger than the land area occupied by the agricultural building, whichever is the lesser;

19. The proposed curtilage of the dwellings is an area immediately around the building which is currently occupied by hardstanding, associated with the building. As such the curtilage accords with the provisions of paragraph X.

Overall Conclusion

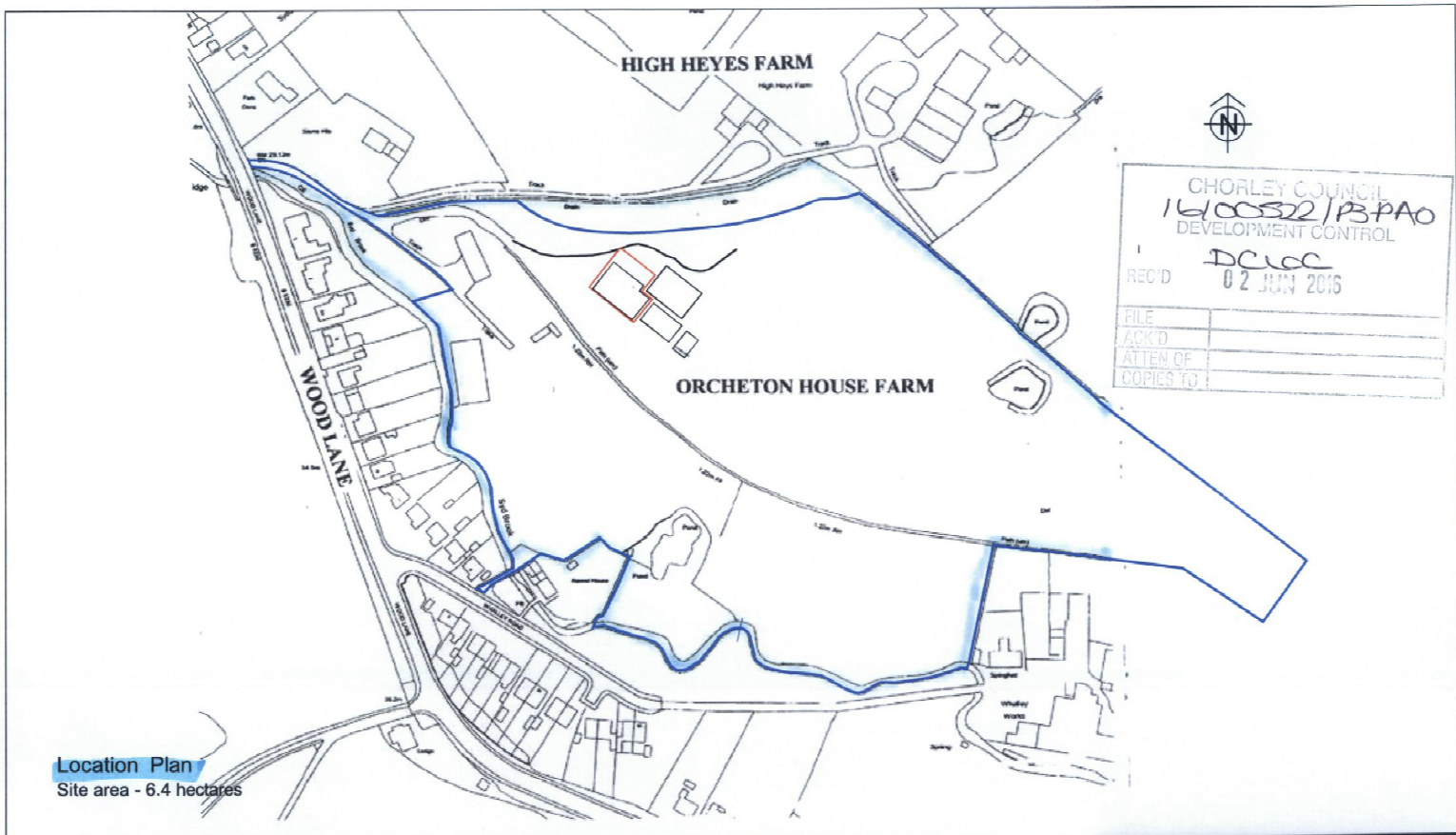
20. It is recommended that prior approval is required and is granted. The conditions required by the GPDO are recommended.

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.	The development under Class Q (a) and Class Q (b) must be completed within a period of 3 years starting with the prior approval date. <i>Reason: Required by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</i>
2.	The development must be carried out in accordance with the details provided. <i>Reason: Required by the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended).</i>



Client Name	MR R. Prideaux		
Project Name	Change of use of existing barn into 2 new dwellings, Orchard House Farm, Wood Lane, Heskin, Chorley, PR7 5PA		
Drawing title	Location Plan		
Project No	drg no.	rev.	Scales
592 - 04 - 16	04		1:2500 @ A4
Status			

jjp architectural design
john parry jones
designing for - retail - commercial - residential

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Item 3j	16/00374/FULMAJ
Case Officer	Iain Crossland
Ward	Clayton-le-Woods and Whittle-le-Woods Ward
Proposal	Erection of 33 dwellings including associated garages and infrastructure
Location	Land 80M North Of Swansey Lane And Bounded By The Elms Swansey Lane Whittle-Le-Woods
Applicant	Fellows Homes Ltd
Consultation expiry:	12 July 2016
Decision due by:	26 July 2016

Recommendation

It is recommended that this application is permitted subject to a Section 106 Agreement.

Representations

Clayton-le-Woods Parish Council: Have commented that this application has below the normal percentage of affordable housing which would be allowed. It is hoped that this would be investigated and corrected if necessary.

No representations have been received.

Consultees

Consultee	Summary of Comments received
Waste and contaminated land officer	Have reviewed the phase 1 desk study and is satisfied with this. No objections are raised, provided that the development proceeds in accordance with the recommendations made in section 9.0 – particularly the proposed remediation in lieu of further investigation as detailed in Table 17.
Tree officer	The proposed development will not require the removal of any of the trees on the site, although T7 Sycamore, growing through the fence with severe lower stem curvature is not suitable for retention. A substantial number of trees included in the Arboricultural Assessment are located on neighbouring land.
GMEU	Comment that the acceptability of the principle of development has been established on the site and that there are no known reasons in terms of the present biodiversity features on site or policy direction which would preclude the development from proceeding to determination A number of conditions and informatives are recommended to ensure that should the proposal receive permission it can be implemented to avoid infringement of the relevant wildlife legislation and to protect features of biodiversity value.
United Utilities	Have no objection
Chorley Council Strategic Housing	Under Chorley Council's Planning Policy on a site of 33 dwellings, 10 are required to be affordable. The mix required would be as follows: 7 x 2 bedroom 4 person houses for Social Rent 3 x 3 bedroom 6 person houses for Shared Ownership The properties should meet the Nationally Described Space Standards and all properties should be transferred to one Registered Provider taking into account the 'rent reduction' and lower offers the Registered Providers are able to make.
LCC Highways	No comments received to date.

AssessmentThe Site

1. The application site is an open area of grassland located within the settlement area of Clayton le Woods. The site is allocated for housing under policy HS1.30 of the Chorley Local Plan 2012 – 2026, and benefits from an extant permission for 32 dwellings (application ref.14/00199/FULMAJ), which was granted on 19th December 2014.
2. The site itself slopes from east to west down towards a watercourse at Carr Brook which lies outside the site boundary. There is a ditch draining into Carr Brook running east to west through the site to the south. The prevailing character of the locality is residential. There are traditional terraced houses to the south of the site at Swansey Lane and a more recent housing estate of detached and semi-detached dwellings at The Elms to the north side. There are a variety of house types and design styles along Chorley Old Road to the east of the site. To the west is a linear woodland. There are a number of trees outside the site boundary although there are no Tree Preservation Orders in force.
3. The current layout of The Elms includes a turnaround area to the east side of the site, but outside of the site area. The existing estate layout at The Elms appears to provide an access point to the site.

The Proposal

4. The proposed development is for the erection of 33no. detached dwellinghouses with associated garden curtilage and detached garages. It is proposed that 3 no. of these dwellings would be affordable units.
5. The proposed dwellings would have a traditional design with dual pitched roofs and gable features. There would be a range of house types across the site, enclosed gardens to the rear of the properties and open plan frontages with driveway parking to the sides and front. There would also be garage provision at some of the plots.
6. There would be areas of open space to the south and eastern sides of the site, and a footpath link between the estate and linear woodland to the west.
7. Vehicular access to the proposed estate would be from The Elms. There would be footways throughout the estate roads, with shared pedestrian/vehicular surfaces serving plots 14 to 16 and plots 17 to 24.

Assessment

The main issues are as follows:-

Issue 1 – Impact on character and appearance of the locality

Issue 2 – Impact on neighbour amenity

Issue 3 – Impact on highways/access

Issue 4 – Ecology and trees

Issue 5 – Drainage and flood risk

Issue 6 – Public open space

Issue 7 – Affordable housing

Issue 8 – Sustainability

Issue 9 – CIL

Issue 10 – Other matters

Principle of the Development

8. 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.
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 Clayton-le-Woods and Whittle-le-Woods.

10. The application site is located in the core settlement area of Clayton-le-Woods, on an allocated housing site covered by Policy HS1.30 of the Chorley Local Plan 2012 - 2026. The development of housing on this site is therefore considered acceptable in principle.

Design and impact on the character of the area

11. The proposed layout involves the properties at plots 32 and 33 fronting onto The Elms. This would help to reinforce the pattern and character of the existing estate, contributing to the active street frontage, which integrates the scheme into the existing surrounding development. The existing layby at the east side of The Elms close to its junction with Chorley Old Road would remain, with an area of open space between this and the proposed development. A native hedge would be planted to the eastern boundary of the site in this location, which would maintain a soft edge to the development. This arrangement would help to maintain the existing vistas across Whittle-le-Woods as the site slopes away from The Elms.
12. Within the site the layout has three small cul-de-sacs, which most of the properties are located within, radiating off a central access road. To the south of the site, the area to the south of the brook is to be left as public open space with properties facing onto the brook.
13. The access from The Elms would use an existing access point into the land that was created when the existing properties on The Elms were built, that is currently unused and terminates at the boundary of the site.
14. The design of the properties would be in the form of six different house types, a mixture of mews, semi-detached and detached, all of which are two-storey. The dwellings would have a traditional appearance and would be faced in red/orange facing brickwork with grey roof tiles to reflect the existing local vernacular and character. Features such as art stone heads and sills and projecting brick dentil courses would be applied to the elevational treatments to introduce stone and detail elements also seen throughout the locality.
15. The arrangement of the dwellings on entering and leaving the proposed development is such that the frontages of dwellings would occupy prominent positions. There is a wide range of properties in the immediate area which are predominantly two-storey and the design and layout is considered acceptable in accordance with Policy 17 of the Core Strategy.
16. The properties would all have garden areas providing sufficient storage for bins. It is noted that covered ginnels have been designed into the mews arrangements, thereby avoiding the need for circuitous rear access ginnels, whilst providing access to storage areas for bins. This makes more effective use of space that can be better managed within private curtilages, removes potential hiding places and reduces the distance to rear area for residents.
17. In terms of the site density the application site area is slightly smaller than the HS1.30 allocation (1.18ha as opposed to 1.3ha) as the application excludes the small crescent shaped area of land and associated highway in the north east corner of the site. The proposal equates to a density of 28 dwellings per hectare. The September 2012 Density Assumptions Technical Paper, which formed part of the Local Plan evidence base, indicated a density of 27.5 dwellings per hectare in the Swansey Lane area density sample. The dwellings to the south on Swansey Lane that back onto the site are terraced properties and so are at a higher density, however the developments beyond that to the south and to the north of the site are more modern developments and the proposal is considered in keeping with them. The proposal is therefore considered in keeping with the surrounding development and in accordance with Policy 5 of the Core Strategy.

Impact on neighbour amenity

18. The application site is surrounded by existing residential development on all sides, apart from to the west. Amended plans have been received as part of the application process.
19. The front elevations of 1 and 3 The Elms are situated at a higher level relative to the site and would be located over 30m from the nearest proposed dwellings, which exceeds the Council's interface distances.

20. Plots 1-7 would back onto 46-51 The Elms. The distances between facing rear windows between plot 6 and 46 The Elms and plot 5 and 47 The Elms are slightly short at 20m rather than 21m, however, numbers 46 and 47 are sited at a slight angle and the windows would not therefore directly face one another. The distance between plot 2 and 49 The Elms is slightly short at 19m rather than 21m, however, the properties are off set and therefore the windows would not directly face one another. This is also the case between plot 1 and 50 The Elms, whereby windows would not directly face one another.
21. Plots 31-33 would have windows facing north towards 34-37 The Elms. These are two-storey semi-detached properties. Plot 31 would have a side elevation (that has first floor bedroom windows in) facing north and plots 32 and 33 would have front elevations facing north, also with first floor bedroom windows in. The properties comply with the interface distances apart from plot 33 where there is 17m between the first floor windows in number 34 and the single first floor window in this property. This is, however, considered an acceptable relationship as number 34 is approximately 0.5m higher than the proposed property and also because this is not an unusual relationship between windows in properties facing one another on opposite sides of a street, where the relationship is less private than rear windows and has an intervening road.
22. To the south of the site the terraced properties on Swansey Lane back onto the site. They have a rear yard area and then an alleyway separates the property from its rear garden. The proposed properties on the south part of the site are set back from the boundary on the north side of the brook. There is over 30m between the first floor windows of the proposed properties and the boundaries with the rear gardens of the properties on Swansey Lane, which far exceeds the Council's interface distance.
23. Number 221 Chorley Old Road is a dormer bungalow that backs onto the east of the site. There would be a row of three mews and two semi-detached properties on plots 17-21 that back onto this property. There would be approximately 9.5m at the closest point between the rear windows of these properties and the boundary with no. 221, however, the proposed properties would be approximately 3m lower on the site than no. 221 and this is therefore considered an acceptable relationship.
24. Number 67 Swansey Lane is a semi-detached property to the south of plot 17. There would be approximately 11m between the first floor windows of no. 67 and the gable end of plot 17, however the gable end of plot 17 would only overlap the bottom of no. 67 by a small amount and the proposed property is due north so it would not result in any overshadowing to this property. This relationship is therefore considered acceptable.
25. In terms of the interface distances between the proposed properties, these are considered to be acceptable taking into account the level changes across the site.
26. The proposal is considered acceptable in terms of the relationship with the existing surrounding properties and between the proposed properties.

Impact on highways/access

27. The application site would have its main access from The Elms. The access point is currently in place off the existing road but terminates at the entrance to the application site. No comments have been received from Lancashire County Council Highways, although it is noted that no objection was raised to the previous extant planning permission with the same access.
28. The plans demonstrate that an appropriate level of off street parking provision would be made in line with policy ST4 of the Chorley Local Plan 2012 – 2026. The application is considered acceptable in relation to parking, subject to a condition requiring the integral garages being maintained for parking.
29. The County Council Highways Engineer previously raised the issue of the external connectivity of the site i.e. its non-vehicular links with its surroundings. They suggested a link be provided between no. 65 and 67 Swansey Lane. Subsequently a footpath was added to the scheme linking the site with the footpath/green corridor to the west of the site that runs north to south and allows a shorter route from the development to Preston Road via Swansey Lane. This link would also be

provided as part of the proposed development. The applicant can only provide the link within the site up to its boundary i.e. the land within their control, but a commuted sum is proposed to be secured by a Section 106 agreement to allow the Council to provide the link from the application site boundary to the existing footpath, as this land is owned by Chorley Council. It is considered with this link the application is acceptable in terms of external connectivity. It is not considered necessary to also improve the existing footpath between 56 Swansey Lane and 217 Chorley Old Road as part of the development as the proposed link to the footpath to the west of the site would provide the quickest route to Preston Road.

30. A commuted sum is also proposed to be secured through a Section 106 agreement for the bus stop and kerb works.
31. The proposal is therefore considered acceptable in terms of traffic and transport.

Ecology and trees

32. An ecological appraisal accompanies the application, which has been reviewed by the GMEU Ecologist. They advise that there are no known reasons in terms of the present biodiversity features on site or policy direction, which would preclude the development from proceeding to determination. A number of conditions and informatives are recommended to ensure that should the proposal receive permission it can be implemented to avoid infringement of the relevant wildlife legislation and to protect features of biodiversity value. The proposal is therefore considered acceptable in relation to ecology subject to conditions.
33. The applicant's tree survey confirms that no trees need to be removed to facilitate the proposed development and it is not proposed that any significant trees are removed.

Drainage and Flood Risk

34. The site is not in Flood Zone 2 or 3 but is over 1 hectare in size so requires a Flood Risk Assessment. This has been submitted with the application. The Environment Agency have stated that they have no comment to make on the current application and no response has been received from the Lead Local Flood Authority (LLFA).
35. The site was previously reviewed by the Environment Agency, who stated in relation to on and off-site flooding they are satisfied the development would not be at an unacceptable risk of flooding or exacerbate flood risk elsewhere providing the recommendations in the Flood Risk Assessment are undertaken. This includes limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm so it would not exceed the run-off from the undeveloped site and finished floor levels of the dwellings are set no lower than 0.15 metres above ground levels. These recommendations were carried through to the FRA report supporting this application.
36. The Environment Agency also recommend a condition requiring a surface water drainage scheme to be submitted and approved in writing as they reviewed the Preliminary Drainage Layout which states that the storm water storage estimates are for a 30 year return period storm event and they would expect this to be greater.
37. A surface water drainage scheme has been submitted as part of the application and has been accepted by United Utilities on the basis that the discharge rate is limited to 8.4litres/sec on the proposed development. A condition is recommended to control this.
38. Subject to the above conditions the proposal is considered acceptable in this respect.

Public Open Space (POS)

39. 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.
40. The grant of planning permission is subject to the applicant entering into a Section 106 agreement to make a contribution towards the requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026.

Affordable Housing

41. Policy 7 of the Core Strategy requires 30% affordable housing to be provided on sites in urban areas such as this. Three of the dwellings proposed are to be affordable, which equates to 11%. Although this is below the policy requirement, the applicant has submitted a viability statement demonstrating that the build costs, in addition to the CIL requirement, the commuted sum contribution towards POS and building to a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations, in combination with the anticipated selling prices of the private properties, the provision of more than three affordable dwellings would render the development unviable. The viability statement demonstrates that even when providing three affordable units, the developer's profit would be lower than market levels. The viability statement submitted by the applicant has been assessed and verified by the Council's surveyor, as a fair assessment of the scheme's viability and demonstrates that the scheme would be unviable to the developer if any more than three affordable units were to be provided, and he is unlikely to obtain the funding at the appropriate interest.
42. It is noted from the Council's viability assessment that it may be possible to provide one additional affordable unit if no commuted sums were required. However, it is considered that the proposed development strikes a reasonable balance in terms of the planning gain that would be achieved with the development as proposed, the dwellings would be built to a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations, a full commuted sum contribution would be made towards the offsite provision/improvement of POS, whilst some affordable housing for social rent would be provided. Any affordable housing would need to be secured through a Section 106 legal agreement.

Sustainability

43. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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.”

44. Given this change, instead of meeting the code level the dwellings should achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by a condition.

Community Infrastructure Levy

45. 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

46. The application is recommended for approval subject to conditions and a Section 106 agreement.

Planning Policies

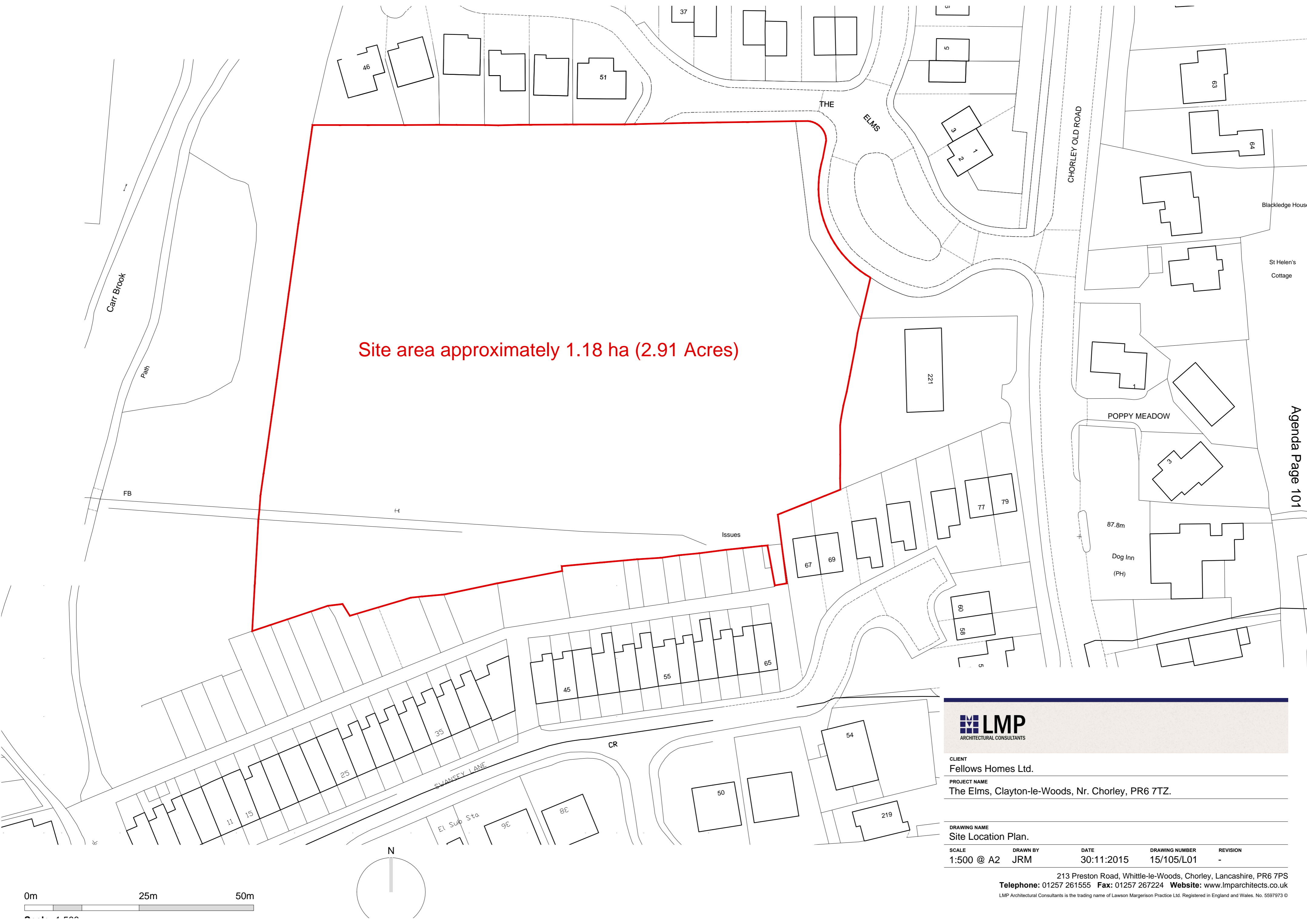
In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

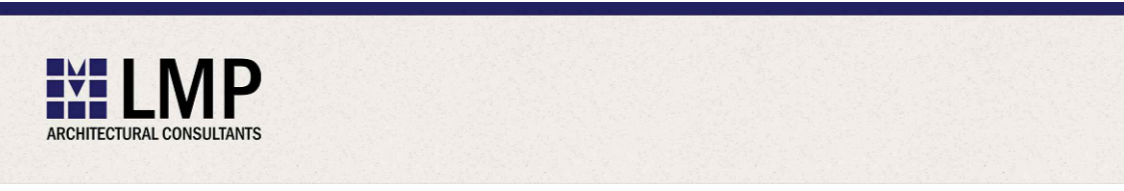
Reference	Description	Decision	Date
14/00199/FULMAJ	Proposed residential development consisting of 32no. dwellings (including 10 no. affordable dwellings).	Approved	19 December 2014
85/00741/FUL	Proposed residential development on 0.67 acres of land	Withdrawn	23 December 1985
80/01099	One form entry junior and infant school	Approved	18 November 1981

Suggested Conditions

To follow



Site area approximately 1.18 ha (2.91 Acres)



CLIENT
Fellows Homes Ltd.

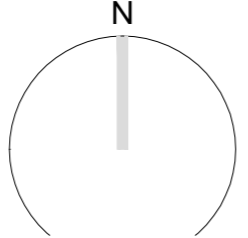
PROJECT NAME
The Elms, Clayton-le-Woods, Nr. Chorley, PR6 7TZ.

DRAWING NAME
Site Location Plan.

SCALE	DRAWN BY	DATE	DRAWING NUMBER	REVISION
1:500 @ A2	JRM	30:11:2015	15/105/L01	-

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Item 3k	16/00303/FULMAJ
Case Officer	Adele Hayes
Ward	Chorley South West
Proposal	Erection of 27 affordable dwellings following the demolition of existing farmhouse and outbuildings
Location	Grundys Farm, Clover Road, Chorley
Applicant	Chorley Community Housing
Consultation expiry:	24th May 2016
Decision due by:	27th July 2016 (there is a completed Planning Performance Agreement in respect of the application)

Recommendation

It is recommended that the application is approved subject to the imposition of conditions.

Representations

Four representations have been received citing the following summarised grounds of objection:

- There are a number of anomalies that the council have not adhered to in the past or in fact the present.
- The builders are only interested in doing a courtesy finish to the sites with no thoughts about what is left behind once they leave their sites, and the Council are at fault, in not following up the end product before the builders leave the site.
- The wood behind houses is filled with rubbish from the previous builders of the properties at the Clover Road development, the small stream is contaminated with building materials.
- The Gillibrand North and South Sites have not been adopted yet, but the faults arising from the lack of inspection is getting worse.
- There has been a terrible mistake on the Gillibrand South Estate found by United Utilities with regards to the contaminated, supposed surface water drainage pond on Yarrow Valley Park. The pond which is full of raw sewage is now draining and has been draining into the River Yarrow for some considerable time this being due to the builders connecting a waste drain into a surface water drain on the estate.
- It is queried why it is necessary to build in such a confined area, and also a troubled area as referred to by David Holme, Enterprise & Funding Officer of CCH/ Adactus.
- Residents would only be content (at best), if the development were for private, non-affordable rental properties.
- Opposition is based not on any pre-conceptions or prejudice but by experience and facts.
- Local police concerns that it would be of detriment to the area are shared by residents.
- The crime and police call out stats (and the nature of those crimes and call outs), pre and post the development of affordable rental properties at the top of Keepers Wood Way.
- Anti-social behaviour is already a blight on the local area; including vandalism, petty theft and noise nuisance
- To think that this isn't going to further add to these issues and demand even more police resource is naïve.
- There will be overlooking, loss of light, drainage impacts, and loss of privacy.
- It is questioned whether the spacing standards been adhered to.
- It is queried whether the proposed landscaping plan is available for viewing.
- The Wallets Wood Court properties backing onto the proposed development are below ground level of the land by approximately 2 metres and there will be problems with:
 - o Drainage – run off surface water
 - o Loss of light
 - o Loss of privacy
- There has already been a large amount of social housing built on the site and this has caused various problems already.
- On Clover Road since these houses were built there has been an increase in anti-social behaviour, which the police and adactus/CCH are aware of.
- There has been a huge increase in traffic, not helped by the fact that Clover Road is only one way in and one way out.
- There has been a massive increase in litter and loud music being thrown and played from these vehicles going to and from the existing houses on the site in question.
- Any loss of trees is opposed.
- The original site has already taken away from the natural surroundings and adding more houses will certainly not enhance it.
- It is considered that the land (Grundy's farm) would be better used to provide a green space for the existing residents to make use of.

Consultees

Consultee	Summary of Comments received
CBC Tree Officer	Has commented on the impacts of the development on trees
Greater Manchester Ecology Unit	Have commented on the ecological impacts of the scheme

Lancashire Archaeology	See body of the report
LCC Lead Local Flood Authority	Have commented on the drainage arrangements for the site

Proposed development

1. The application seeks planning permission for the erection of 27 affordable dwellings on the site following the demolition of the existing buildings. The applicants are Chorley Community Housing who intend for all 27 dwellings to be social rented properties. 6 flats, 17 two bedroom houses and 3 three bedroom houses are proposed as part of the scheme.

Principle of the development

2. The site is located within the settlement area of Chorley as identified within the Local Plan where there is a presumption in favour of appropriate sustainable development. Policy V2, Settlement Areas, of the Local Plan identifies that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or Green Infrastructure. This should be read in conjunction with other policies and proposals in the plan and with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1 Chorley is identified as a Key Service Centre where growth and investment will be focussed.
3. The site is allocated for housing development (HS1.10) within the Local Plan and as such, in principle, developing the site for housing accords with Policy 1 of the Adopted Core Strategy and the Adopted Local Plan and is considered to be acceptable.

Loss of employment land

4. At the time of the planning application on the adjacent site it was understood that Grundys Farm was occupied by Messrs G Corner & Sons operating a haulage contractors from Grundy's Farm. Given this use, further information was required by the Highway Authority as part of the planning application in respect of swept path analysis to ensure that the proposed road was adequate as Grundys Farm had an operator's licence to operate 6 HGVs with trailers from the site. Given that the last use of the site appears to be a haulage contractors (B8 use) Policy 10 of the Core Strategy is applicable. Policy 10 of the Core Strategy relates to existing and former employment sites and as such it is applicable to this proposal. Policy 10 states:

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

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

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

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

5. However, in the case of this site, it is allocated for housing within the Adopted Local Plan which is a material consideration. The site has been marketed with an expression of interest exercise by P Wilson and Company since April 2015. The main responses were from housing developers with some interest in occupying the property as a single dwellinghouse. It is clear from the site visit that no business activities are currently operating from the site and the supporting information confirms that there is currently no Operator's Licence in respect of this site. Given the allocation within the Local Plan and the fact that there are no current employment activities occurring on

site, it is not considered that the proposed development will have an adverse impact on the Council's Employment Land supply in accordance with Policy 10 of the Core Strategy.

Impact on neighbours

6. The nearest residential dwellings to the site are the properties on Walleys Wood Court, Keepers Wood Way, Kingsley Drive and Clover Road.
7. Walleys Wood Court is located to the west of the site and incorporates 2.5 storey terraced dwellings backing onto the site although the second floor accommodation is achieved by the inclusion of front dormer windows not facing the application site. The two nearest proposed dwellings to Walleys Wood Court are plots 8 & 9 (flats) and plot 10. 11 and 12 Walleys Wood Court are the closest properties to plots 8 and 9 with approximately 25.4m retained at the closest point. No windows are proposed within the gable elevation of plots 8 & 9 facing Walleys Wood Court and as such the standard spacing distances between the rear windows on the existing properties to this blank gable is 12m. However, the proposed dwellings will be higher than the existing properties and as such this distance increases. The proposed properties are approximately 3.27m higher than the existing properties requiring a distance of 23m between the properties which is met and exceeded in this case.
8. 7, 8 and 9 Walleys Wood Court are closest to Plot 10 with approximately 19.6m retained from the side gable of Plot 10 to the rear elevation of the existing properties. No windows are proposed within the gable elevation of plot 10 facing Walleys Wood Court. The standard spacing distance between habitable room windows and a blank gable is 12m. However, the proposed dwellings will be higher than the existing properties and as such this separation distance should be increased. The proposed properties are approximately 2.39m higher than the existing properties requiring a distance of between 19m to 20m between the properties which is met in this case.
9. Keepers Wood Way is located to the north of the site. Plots 10-12 back onto 78 and 80 Keepers Wood Way which are a pair of three storey semi-detached dwellings. The proposed dwellings and the existing dwellings have a very similar finished floor level and approximately 24.5m is retained between the dwellings. Given the finished floor levels the distances retained exceed the standard distances. However, the existing dwellings include second floor habitable room windows. The existing dwellings have gardens which are approximately 12m long and given that a greater spacing distance is maintained than the standard distance, the resultant relationship in this case is considered to be acceptable. The location of the properties to the north also reduces the impact on the existing properties in terms of any potential loss of light to the proposed rear garden areas.
10. Plots 13-16 back onto 82 and 84 Keepers Wood Way which are a pair of two storey semi-detached dwellings. The proposed dwellings and the existing dwellings also have a very similar finished floor level and between 21 and 22.5m is retained between the dwellings. Given the finished floor levels, the distances retained meet, and also exceed, the standard distances and as such this relationship is considered to be acceptable.
11. Plots 17 and 18 back onto 86 Keepers Wood Way which is a detached two storey dwelling. The proposed dwellings and the existing dwelling again have a very similar finished floor level and approximately 23m is retained between the dwellings. Given the finished floor levels the distances retained exceeds the standard distances and as such this relationship is considered to be acceptable.
12. Plots 19-21 back onto 88 Keepers Wood Way which is half of a pair of three storey semi-detached dwellings. The proposed dwellings are between approximately 0.65 and 1m lower than the existing property and approximately 19.8m is retained between the dwellings. The resultant relationship would be angular which will ensure that no direct views between the windows occurs. The location of the properties to the north also reduces any potential impact on the existing properties in terms of loss of light to the proposed rear garden areas. Given the orientation of the properties, this relationship is considered to be acceptable.
13. The properties to the east of the site on Kingsley Drive are 2 storey terraced dwellings which are at a higher land level than the application site. 15-21 Kingsley Drive are located closest to plot 21. No windows are proposed within the gable elevation of plot 21 facing Kingsley Drive and as such

the standard spacing distances between the rear windows on the existing property to this blank gable is 12m. However, the existing dwellings are higher than the proposed properties and as such this distance should be increased. The proposed properties are approximately 4m lower than the existing properties requiring a separation distance of 26m between the properties. This is not completely met in this case. However, the proposed dwellings are located due west of the existing properties and any impact in terms of loss of light will be experienced by the future occupiers of the proposed dwellings and is not considered likely to be so severe to warrant refusal of the application. In this case it is considered that the resultant relationship is acceptable.

14. 7-13 Kingsley Drive are located closest to plots 22-27. The proposed properties are approximately 4.9m lower than the existing properties which requires a spacing distance of 39m. This distance is met in respect of plots 22-24. However, only 30m is retained between plots 25-27 and 7 Kingsley Drive (the closest property). The proposed dwellings are again located due west of the existing properties any impact in terms of loss of light will be experienced by the future occupiers of the proposed dwellings. In this case it is considered that the resultant relationship is acceptable.
15. The new dwellings on Clover Road are located to the south of the application site and 66 and 68 Clover Road have a very similar finished floor level as plot 27. Given that in excess of 12m is retained between the rear elevation of the existing properties and the side elevation of the proposed properties, this relationship is considered to be acceptable. 60-64 Clover Road are approximately 1m higher than plot 27 but since more than 10m is retained to the proposed rear garden area, and the garden is slightly raised, this relationship is considered to be acceptable.

Affordable housing

16. All of the proposed dwellings are intended to be affordable dwellings. In accordance with Policy 7 of the Core Strategy, 30% of the dwellings (8 units) will need to be affordable dwellings. However, in the case of this site, a condition can be attached securing the tenure of all of the dwellings subject to this application.

Trees

17. There are a number of trees on the site and as such the application is supported by an Arboricultural Impact Assessment/Method Statement. 3 individual trees, 5 groups of trees, 1 hedgerow and 1 area of woodland have been assessed as part of the Statement. Only one of the trees (T1) and the hedgerow along with the woodland are categorised as higher quality trees.
18. The Council's Tree Officer has visited the site and made the following comments:
 - T1 Mature Ash. Bifurcates at 0.5m to 3 leaders. Dead wood in canopy, decay in butt. Tree to be retained. Future maintenance/monitor.
 - T2 Semi Mature Ash. Multi stemmed. Low quality tree with limited merit. Recommend tree removed.
 - T3 Mature Damson. Low quality tree with limited merit. Recommend tree removed.
 - G1 Early Mature Ash/Sycamore. Self set trees within rubble pile. Recommend trees removed.
 - G2 Semi Mature Ash. Other trees in group been removed. Tree within rubble pile. Recommend tree removed.
 - G3 Semi Mature Ash. Multi stemmed self set trees growing tight against out building. Recommend trees removed.
 - G4 Young Damson. Group of small trees with low value. Recommend trees removed.
 - G5 Mature Apple/Mature Pear. Small fruit trees. Recommend trees removed.
 - H1 Hawthorn hedge East boundary of site. Offers screening of the site. Requires maintenance. Recommend hedge retained.
19. The Officer has commented that only one individual tree (T1- Ash) is worthy of retention along with the hedgerow and the woodland outside of the site. The submitted plans detail the retention of tree T1 along with the hedgerow which is considered to be a benefit to the scheme.

20. In respect of the remaining trees on site, these will be felled to facilitate the development and are not considered worthy of retention. However, to mitigate for their loss, a condition requiring the submission of a landscaping scheme is recommended.

Ecology

21. As the development involves the demolition of existing buildings and will involve tree removal, the application is supported by protected species and habitat surveys.
22. The buildings comprise a stone built farmhouse(A), a stone barn(C), a single storey brick extension(D), a large garage(B) and a large outbuilding(E), the buildings are referred to as A, B, C, D and E for ease of reference in the report. The survey comprised an internal and external inspection of the buildings on 23rd September 2015, no bats or signs of bats were found during the survey, however the buildings were found to have features which could support roosting bats. Buildings B and E were found to have low potential, buildings A and D were found to have a low to moderate potential and building C was found to have a moderate potential to support roosting bats. A number of trees were also identified as having bat roosting potential. Further surveys, in the form of dusk emergence/dawn re-entry surveys were therefore recommended.
23. A dusk emergence/ dawn re-entry has been undertaken at the site which found no evidence of bats.
24. The buildings and the trees have the potential to support nesting birds and a number of old swallows nests were observed during survey. 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). The Ecologist has therefore recommended that works to the buildings and trees should not be undertaken in the main bird breeding season (March to September inclusive), unless nesting birds are found to be absent, by a suitably qualified person. This can be addressed by condition.
25. In line with Section 11 of the Framework, the Ecologist has recommended that opportunities for biodiversity enhancement should be incorporated into the new development, which can be secured by condition, including:
- Bat bricks and/or tubes within the new development
 - Bat boxes
 - Bird boxes
 - Native tree and shrub planting
26. 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.
27. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority is required to engage with the Directive. As set out above, no significant adverse impact on protected species or biodiversity is identified and any impacts can be addressed by precautionary and enhancement measures. At a national level, the Framework indicates that planning determinations should seek to make positive contributions to biodiversity and as such suitable conditions are suggested. 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 proposal is acceptable.

Highways and access

28. The scheme involves the erection of 6 one bedroom flats, 17 two bedroom houses and 3 three bedroom houses. In accordance with policy ST4 of the Adopted Local Plan, this generates a requirement for 46 parking spaces. The proposed layout details 48 parking spaces which ensures that each dwelling proposed has sufficient off street parking and provision is included for visitor parking.

Open space

29. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, based upon the standards within the Local Plan Policies HS4A and HS4B and the approach in the SPD, commuted sums towards the various open space typologies will be required as follows:

Amenity greenspace

30. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a surplus of provision in the Chorley South West ward in relation to this standard, a contribution towards new provision in the ward is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of amenity greenspace 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.

Provision for children/young people

31. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in the Chorley South West ward in relation to this standard however there are no identified schemes within this part of the Borough.

Parks and gardens

32. 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

33. There is no requirement to provide new natural/semi natural greenspace on-site within this development. The site is within the accessibility catchment (800m) of an area of natural/semi-natural greenspace that is identified as being low quality and/or low value in the Open Space Study (site 1827 – Plock Wood, Lower Burgh Way), a contribution towards improving this site is therefore required. The amount required is £557 per dwelling.

Allotments

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

Playing pitches

35. 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.

36. THE TOTAL FINANCIAL CONTRIBUTION REQUIRED FROM THIS DEVELOPMENT IS AS FOLLOWS:

Amenity greenspace	= £0
Equipped play area	= £0
Parks/Gardens	= £0
Natural/semi-natural	= £15,039
Allotments	= £405

Playing Pitches	= £43,173
Total	= £58,617

Sustainable resources

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

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

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

38. As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions.

Viability

39. As with all planning obligations, the guidance set out within the Framework is a material consideration. This guidance confirms that development should:
-not be subject to such a scale of obligations and policy burdens that their ability to be developed viably is threatened. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable.*
40. In this regard, the application is supported by a Viability Appraisal that has been reviewed by the Council’s Property Services Section who have confirmed that the anticipated build costs are in line with market standards. In this case, the build costs are typically on the higher side but that is because of the high density and small economies of scale for the development in comparison to larger private residential schemes. Also the applicant has not allowed for any profit or contingency.
41. Overall, it is accepted that the viability shows a reasonable account of costs and demonstrates that if a 19% SAP uplift or a commuted sum payment towards the provision of public open space is required, then the scheme would not be viable.

Drainage

42. An the outline drainage strategy has been submitted with the application which details the discharge of surface water into the pond which is located, adjacent to the south-west corner of the proposed development. The applicant states in their drainage strategy report that the site investigation demonstrates that the ground conditions are not suitable for infiltration as clays are present below the site and, this therefore, rules out the possibility of infiltration SUDS techniques. Although the applicant has not provided evidence of their site investigation the Lead Local Flood Authority considers the proposed runoff destination to be acceptable. LCC have no objection to the proposed development subject to suitable conditions.

Archaeology

43. Lancashire Archaeological Advisory Service (LAAS) has noted that Grundy’s Farm is a non-designated heritage asset (Lancashire Historic Environment Record PRN 20215) and is recorded as a well-preserved, stone-built, 2 storey lath house dating to the 18th century. The structure (labelled as ‘Grundy’s Farm’ on the Existing Site Layout Plan) is depicted on the 1768 enclosure map (LRO AE 3/1) and all subsequent maps. It is, therefore, considered to be of some historical interest, showing the development of and response to changing agricultural practices and economics over time.
44. The period 1750-1880 has been recognised as the most important period of farm building development in England. The Council for British Archaeology’s ‘An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy’ has indicated that "there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined."
45. Consequently, if planning permission is granted, the LAAS have recommended that a record of the building to Historic England level 3 is made prior to demolition. This can be secured via condition.

Overall Conclusion

46. This is an allocated housing site within the Adopted Local Plan and as such the principle of housing on this site is acceptable. As set out above, the scheme as proposed protects the neighbours’ amenities and is considered to be acceptable involving the redevelopment of a brownfield site within a sustainable location. As such the scheme is recommended for approval.

Planning Policies

In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
5/1/01096	Erection of detached house.	Approved	June 1958
5/1/04413	Garage to house wagons.	Approved	July 1973

Suggested Conditions

No.	Condition
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.	All the dwellings hereby permitted shall be provided as affordable dwellings (as defined in the Central Lancashire Affordable Housing Supplementary Planning Document) to be managed by a Registered Provider. Reason: Weight has been given to the case put forward by the applicant as a Registered Provider in terms of the viability of the site in relation to the normal sustainability and public open space requirements.
3.	The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. Reason: To protect the appearance of the locality and in the interests of the

	amenities of local residents.											
4.	<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>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>											
5.	<p>The parking and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).</p> <p>Reason: To ensure provision of adequate off-street parking facilities within the site.</p>											
6.	<p>Prior to the commencement of the development 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:</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>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.</p> <p>Reason: In accordance with Section 11 of the Framework which encourages identification of opportunities for biodiversity enhancement.</p>											
7.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: In the interest of the appearance of the locality.</p>											
8.	<p>Prior to the laying of any hardstanding full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.</p> <p>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</p>											
9.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 33%;">Title</th> <th style="width: 33%;">Drawing Reference</th> <th style="width: 33%;">Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>P1251 P01</td> <td>4th April 2016</td> </tr> <tr> <td>Proposed Site Layout</td> <td>P1251 P03</td> <td>4th April 2016</td> </tr> </tbody> </table>			Title	Drawing Reference	Received date	Location Plan	P1251 P01	4th April 2016	Proposed Site Layout	P1251 P03	4th April 2016
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	Planting Plan	P1251 Rev A	7th April 2016
	Planting Details	P1251 Rev A	7th April 2016
	Proposed Site Section	P1251 P05	4th April 2016
	TYPE A - Proposed 1B/2P Apartment	P1251 110 Rev A	4th April 2016
	TYPE B - Proposed 2B/4P Semi-detached / Terraced House	P1251 111	4th April 2016
	TYPE C - Proposed 3B/5P Semi-detached / Terraced House	P1251 112	4th April 2016
	Outline Drainage Strategy	D-001 P1	7th April 2016
	Reason: For the avoidance of doubt and in the interests of proper planning		
10.	<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.</p> <p>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>		
11.	<p>During the construction period, all trees to be retained shall be protected as shown on the Tree Protection Plan drawing ref: 15/AIA/Chorley/07 at Appendix 4 of the Arboricultural Impact Assessment/Method Statement by Tree Solutions submitted with the application.</p> <p>Reason: To safeguard the trees to be retained.</p>		
12.	<p>Prior to the commencement of construction of the dwellings hereby permitted details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>		
13.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access has been submitted to and approved by the Local Planning Authority. None of the dwellings shall be occupied until the access to serve that dwelling has been constructed and completed in accordance with the approved details.</p> <p>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</p>		
14.	<p>No dwelling shall be occupied until the shed for that dwelling has been erected as shown on the approved layout plan and shall be retained at all times thereafter.</p> <p>Reason: To encourage sustainable transport modes by providing somewhere secure to store bicycles.</p>		
15.	<p>For the full period of demolition and construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site and the roads adjacent to the site shall be mechanically swept as required during the full demolition and construction period.</p> <p>Reason: To avoid the possibility of the public highway being affected by the</p>		

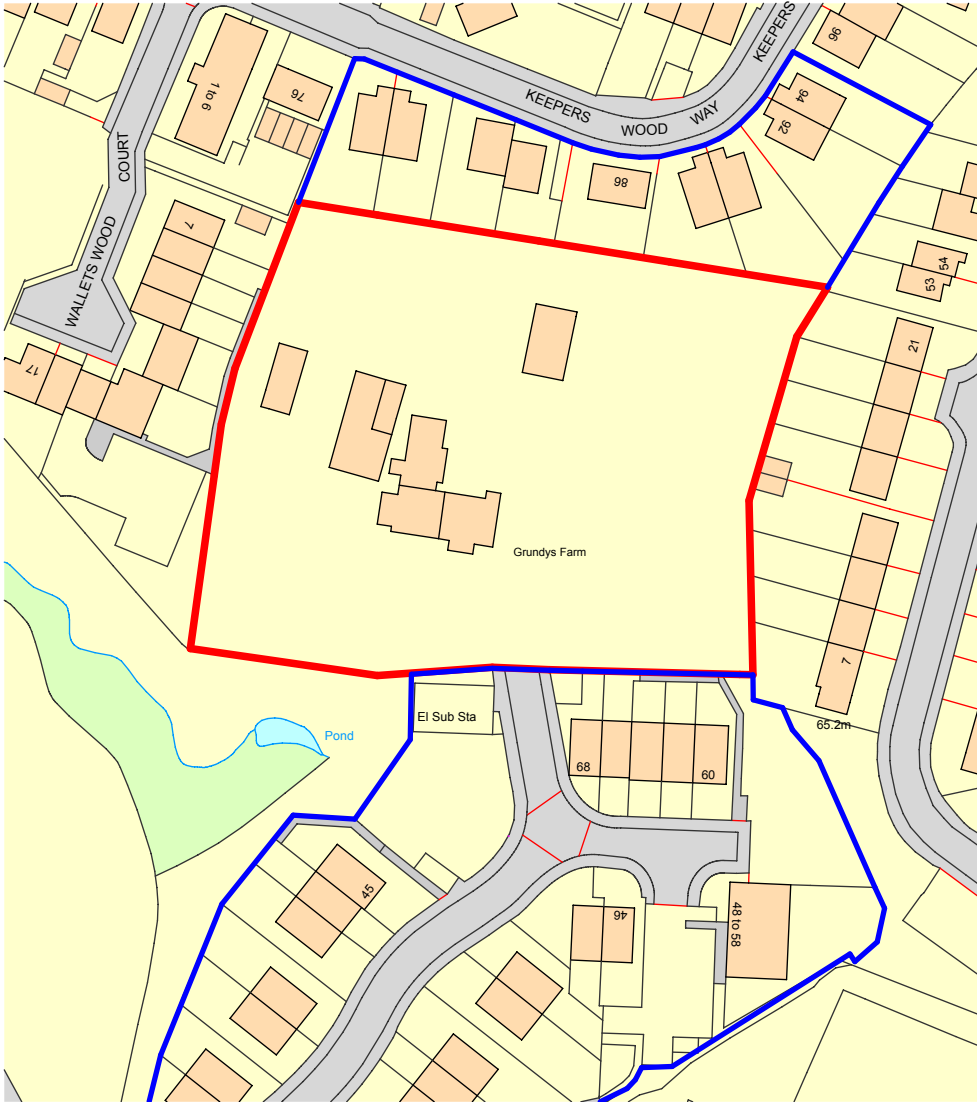
	deposit of mud and/or loose materials thus creating a potential hazard to road users.
16.	<p>No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the building.</p>
17.	<p>No development shall commence until details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Information about the lifetime of the development, design storm period and intensity (1 in 30 & 1 in 100 year + 30% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD; b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate which has been calculated at 5 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing as applicable; f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; g) Details of water quality controls, where applicable. <p>The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p>Reasons</p> <ul style="list-style-type: none"> 1. To ensure that the proposed development can be adequately drained. 2. To ensure that there is no flood risk on or off the site resulting from the proposed development 3. To ensure that water quality is not detrimentally impacted by the development proposal
18.	<p>No development hereby permitted shall be occupied until the sustainable drainage scheme for the site has been completed in accordance with the submitted details. The sustainable drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.</p> <p>Reasons</p> <ul style="list-style-type: none"> 1. To ensure that the drainage for the proposed development can be adequately maintained. 2. To ensure that there is no flood risk on- or off-the site resulting from the proposed development or resulting from inadequate the maintenance of the sustainable drainage system.
19.	No development shall commence until details of an appropriate management and

	<p>maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:</p> <ul style="list-style-type: none">a) the arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Companyb) arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:<ul style="list-style-type: none">i. on-going inspections relating to performance and asset condition assessmentsii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;c) means of access for maintenance and easements where applicable. <p>The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p>Reasons</p> <ul style="list-style-type: none">1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development2. To reduce the flood risk to the development as a result of inadequate maintenance3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
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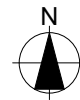
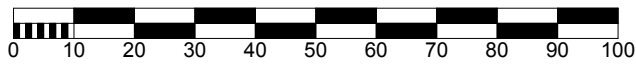
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General Notes :

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 Read this drawing with all other project related architects drawn and specified information including risk assessments.
 Constructors must be familiar with the client's building asbestos register ahead of facilitating work contained on this drawing.



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Halsall Lloyd Partnership
 ARCHITECTS & DESIGNERS

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Revisions

Client Chorley Community Housing		Title Location Plan				 www.hlpdesign.com	
Project Grundy's Farm		Status PRELIMINARY		Dwn. SG	Chk.		
Job No. P1251	Drwg No. P01	Rev.	Scale @A4 1:1250	Date 29.03.16			
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Item 3I **16/00390/FUL**

Case Officer **Adele Hayes**

Ward **Chorley East**

Proposal **Erection of a terrace of 3no. three storey houses**

Location **Lyons Lane**
Chorley
PR6 0PJ

Applicant **Elmwood Construction LLP**

Consultation expiry: **15 May 2016**

Decision due by: **27 July 2016**

Recommendation

It is recommended that this application is granted conditional approval.

Proposal

1. This application site forms part of a wider site for which full planning permission was granted in November 2012 for the erection a mixed use development consisting of new and refurbished industrial units and 10 residential dwellings (12/00045/FULMAJ). Permission was granted subject to a number of conditions.
2. A subsequent Section 73 application, that sought consent to vary conditions nos. 3 and 17 attached to the planning approval, to essentially allow alterations to the approved industrial units and dwellings, and remove the requirement to build the dwellings to Level 4 of the Code for Sustainable Homes, was approved in June 2013 (13/00299/FULMAJ). The approved scheme has already been implemented by the commencement of the works on the retained industrial site and the levelling of the residential site and the construction of retaining walls.
3. A further Section 73 application, to again vary condition no. 3 (approved plans) attached to the permission, to enable re-positioning of the proposed dwellings, and to change the approved house types was approved in April 2016.
4. The revised scheme involved a change to the orientation of the proposed houses and the new approved layout results in all the units fronting Townley Street and having larger rear gardens. This avoids the houses having views over the industrial site and will ensure the deliverability of the scheme as this layout will result in reduced set up costs and upfront costs associated with the cul-de-sac.
5. The 10no. dwellings that have already been approved will be arranged in two terraces of three houses and two pairs of semi-detached houses, although rather than being set out around a new cul-de-sac, they will front directly onto Townley Street.
6. This current application seeks planning permission for the erection of an additional 3no. dwellings, built between the two pairs of approved semi-detached dwellings, to effectively form a terrace of seven dwellings.

Representations

6. The proposal has been advertised on site and letters have been sent to the occupiers of neighbouring properties. No representations have been received as a result of this publicity.

Consultations

7. The Coal Authority – recommend standing advice.
8. The Council's Contaminated Land Section – have confirmed that they have no objections.
9. The Highway Authority – no comments have been received.

Main Issues

10. The main issues for consideration in respect of this planning application are:

- Design and appearance;
- Highway safety; and
- Impact on the neighbours

Assessment

Principle of the development

11. The principle of redeveloping the wider site with industrial units and housing was originally established as being acceptable by the grant of planning permission in November 2012 and the

subsequent Section 73 applications. This application now proposes the erection of 3no.additional dwellings.

Design and appearance

12.The proposed dwellings will front directly onto Townley Street and will complement the previously approved dwellings.

13.The resultant development will create a better street scene that will fits in with the orientation of the residential development recently completed on the adjacent site opposite that fronts Charnock Street, and will avoid a gap in the built form along the street. The delivery of this development will effectively complete the residential development of the last remaining piece of derelict land that was formally Lawrences Mill.

14.A single house type is proposed with rear gardens and 2no. off street car parking bays located at the front of each dwelling. The materials used for construction will be a traditional nature, facing brick and roofing tiles, and window frames and doors will be white UPVC.

Highway safety

15.The Highway Engineer at Lancashire County Council has been consulted and has raised no objections.

16.The properties will each have three bedrooms and two spaces each which meets the Council's parking standards.

Impact on the neighbours

17.The application site is relatively flat but rises slightly on a north / south axis. The area of land where the houses will be built is currently in a very poor condition and is covered in demolition rubble due to the mill building having been demolished and its former walls now form a boundary to the residential site.

18.Eldon House, which is sheltered housing accommodation, is located to the south east. Parts of this building currently look towards the application site and have a very poor outlook. It is considered that the resultant relationship with this building and the new dwellings that have been built on the opposite side of Townley Street will be acceptable and will not result in any significant loss of amenity for the future residents within the development or occupiers of existing dwellings or the neighbouring sheltered housing scheme.

19. The proposed dwellings will have a rear aspect facing the Busy Bee's nursery site which is at a higher level and this is considered an acceptable relationship.

Provision of Public Open Space

20. Policies HS4A and HS4B of the Local Plan set out 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.

21. 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.

22.However, following a recent high court judgement, the government has revised the planning practice guidance in relation to tariff style financial contributions. It now advises that tariff style planning obligations should not be sought from small scale and self-build development. Contributions should not be sought from developments of 10 units or less and which have a maximum combined

gross floor space of no more than 1000sq m. This guidance should carry significant weight, however the Court of Appeal Decision clarified the position that Councils should take, and where there is evidence of local need, a contribution may still be sought. The Council's Planning Policy Team advises that there is no evidence of local need to outweigh national policy and it is not, therefore, considered reasonable to require a financial contribution in this instance in accordance with Central Government Guidance

Sustainable Resources

23. Since the Deregulation Act 2015 received Royal Assent on 26th March 2015, the Council has implemented transitional arrangements relating to the Code for Sustainable Homes that has been withdrawn, to continue to require dwellings to achieve an energy efficiency equivalent to Code for Sustainable Homes Level 4, in excess of current Building Control requirements.

24. However, the applicant has previously submitted a viability assessment that established that the approved dwellings can only be constructed to current Building Regulations with no additional energy efficiency measures without rendering the development unviable.

25. The provision of three additional houses will not improve the financial viability of the scheme as CIL will now be imposed on any additional space. In order to ensure that this development is viable, and the proposed rents affordable, it is not considered reasonable to require additional energy efficiency measures in this case.

Community Infrastructure Levy

26. 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

27. The total number of dwellings will increase by three and the acceptability of the principle of residential development on this site was established as being acceptable with the previous grant of planning permission. Three additional dwellings are considered to be acceptable.

28. The removal of the requirement to achieve Code Level 4 has previously been accepted to assist in ensuring that housing continues to be built on this site and it is recommended that this application is approved.

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

The site history of the property is as follows:

Ref: 92/00096/FUL

Description: Demolition of existing chimney and erection of pre-fabricated boiler flue. Approved 10 March 1992.

Ref: 09/00690/DEMCON

Description: Application for prior determination in respect of the proposed demolition of the former Yarn Supplies Site. Demolition approved: 8 October 2009.

Ref: 12/00045/FULMAJ

Description: Proposed mixed development consisting of 10 new starter industrial units, 3 refurbished existing units within an enclosed employment site together with 10 residential dwellings. Approved: 22 November 2012.

Ref: 12/01246/DIS

Description: Application to discharge condition numbered 17 (Code for Sustainable Homes) of planning approval 12/00045/FULMAJ. Condition not discharged: 8 February 2013.

Ref: 13/00175/DIS

Description: Application to discharge conditions numbered 7 (ground contamination), 10 (hard-ground surfacing materials) and 11 (external facing materials) of planning approval 12/00045/FULMAJ. Condition discharged: 25 March 2013.

Ref: 13/00299/FULMAJ

Description: Section 73 application to vary condition 3 (approved plans) and condition 17 (code for sustainable homes) attached to planning approval 12/00045/FULMAJ to allow for elevational alterations to the dwellings and industrial units and for the dwellings to be built to Level 3 of the Code for Sustainable Homes. Approved: 25 June 2013.

Ref: 16/00132/FULMAJ

Description: Section 73 application to vary condition 3 (approved plans) attached to planning approval 13/00299/FULMAJ to enable re-positioning of the proposed dwellings and to change the approved house types. Approved: 25 April 2016.

CONDITIONS

The following conditions are suggested:

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

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

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

Drawing Title	Ref	Date Received
Site Location Plan	N/A	27 April 2016
Proposed detailed site layout		11 May 2016
Proposed Elevations and Sections	1408/26 004	27 April 2016

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

3. The external facing materials, comprising Weinerberger Brighton Multi bricks, Sandcroft Calderdale dark grey tiles and Veka profile white Upvc windows, shall be used and no others substituted.

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

4. The housing hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s). The eaves height shall not exceed 99.495 datum and the ridge height shall not exceed 109.11 datum.

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

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

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

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

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

Land Registry
Official copy of
title plan

Title number **LAN64783**
Ordnance Survey map reference **SD5817SE**
Scale **1:1250**
Administrative area **Lancashire : Chorley**



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