

DEVELOPMENT CONTROL COMMITTEE

TUESDAY, 11TH OCTOBER 2016, 6.30 PM
COUNCIL CHAMBER, TOWN HALL, CHORLEY

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 13 SEPTEMBER 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 six 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 **16/00420/FUL - CHURCH FARM, HIGH STREET, MAWDESLEY, ORMSKIRK, L40 3TD**

(Pages 7 - 14)

- B **16/00726/FUL - DUKE OF YORK HOTEL, 144 CHORLEY OLD ROAD, WHITTLE-LE-WOODS**

(Pages 15 - 26)

- C **16/00614/FUL - SWIFTS HOUSE FARM, BENTLEY LANE, HESKIN**

(Pages 27 - 36)

- D **16/00754/FUL - INLAND REVENUE, LINGMELL HOUSE, WATER STREET, CHORLEY**

(Pages 37 - 46)

E 16/00247/FULMAJ - LAND 150M WEST LEATHERLANDS FARM, MOSS LANE, WHITTLE-LE-WOODS

(Pages 47 - 58)

F 16/00660/FUL - VISITORS CENTRE YARROW VALLEY COUNTRY PARK, BIRKACRE ROAD, CHORLEY, PR7 3RN

(Pages 59 - 68)

4 APPEALS AND OTHER DECISIONS

5 ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR

GARY HALL
CHIEF EXECUTIVE

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

Electronic agendas sent to Development Control Committee reserves for information.

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

To view the procedure for public questions/ speaking click here

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



MINUTES OF DEVELOPMENT CONTROL COMMITTEE

MEETING DATE Tuesday, 13 September 2016

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

RESERVES: Councillors Jean Cronshaw and Gordon France

OFFICERS: Paul Whittingham (Planning Services Manager), Adele Hayes (Principal Planning Officer), Alex Jackson (Legal Services Team Leader) and Nina Neisser (Democratic and Member Services Officer)

APOLOGIES: Councillors Tom Gray and Alistair Morwood

16.DC.212 Minutes of meeting Tuesday, 16 August 2016 of Development Control Committee

RESOLVED – That the minutes of the Development Control Committee held on 16 August 2016 be approved as a correct record for signature by the Chair.

16.DC.213 Declarations of Any Interests

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

16.DC.214 Planning applications to be determined

The Director of Customer and Digital submitted thirteen 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 16/00036/FUL - Spring Cottage, Rivington Lane, Rivington, Bolton, BL6 7SB

Registered speakers: Councillor Kim Snape (ward councillor) and Rosie Gilgun (applicant).

A motion to approve retrospective planning permission was proposed and seconded. When Members voted on the motion the result was split (7:7:1). Subsequently, the Chair used her casting vote against the motion to approve retrospective planning permission. The motion was therefore lost.

A second motion to refuse retrospective planning permission was proposed and seconded. Members voted (7:8:0) against the motion.

No further motion was forthcoming and as such the decision resulted in non-determination and was therefore deferred.

b 15/00215/OUT/A - 59 Church Street, Adlington, Chorley

Registered speaker: Peter Gilkes (agent)

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

c 15/00216/OUT - 59 Church Street, Adlington, Chorley

Registered speaker: Peter Gilkes (agent)

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

d 16/00374/FULMAJ - Land 80M North of Swansey Lane and Bounded by The Elms, Swansey Lane, Whittle-Le-Woods

Councillor Danny Gee left and had no further involvement in the meeting.

RESOLVED (unanimously) – That planning permission be approved, subject to a Section 106 Agreement; and the approval of a highways condition to be delegated to the Director of Customer and Digital in consultation with the Chair and Vice-Chair.

e 16/00678/P3PAJ - Inland Revenue, Lingmell House, Water Street, Chorley, PR7 1EJ

RESOLVED (unanimously) – That Prior Approval be granted.

f **16/00452/OUTMAJ - The Mill Hotel Chorley, Moor Road, Croston**

RESOLVED (unanimously) – That planning permission be approved, subject to conditions in the report as amended in the addendum and an associated Section 106 legal agreement.

g **16/00612/FUL - Playing Field to rear of houses, Greenside, Euxton**

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

h **16/00667/FUL - Land to The South West of Ricmarlo, Preston Nook, Eccleston**

RESOLVED (unanimously) - That planning permission be approved subject to conditions as amended in the addendum and an associated Section 106 Agreement, in addition to a draft condition for an agreed phasing plan; the wording of which be delegated to the Director of Customer and Digital in consultation with the Chair and Vice-Chair.

i **16/00420/FUL - Church Farm, High Street, Mawdesley, Ormskirk, L40 3TD**

Registered speakers: Grahame Green (objector) and Andrew Millin (applicant).

RESOLVED (13:1:0) – That the decision be deferred to allow Members of the Development Control Committee the opportunity to visit the site of the proposals.

j **16/00655/FUL - Five Acres Plant Centre, Five Acres, Dawbers Lane, Euxton, Chorley, PR7 6EE**

Registered speaker: Norma Huddy (objector)

RESOLVED (unanimously) – That planning permission approved, subject to conditions in the addendum and additional conditions with regards to (i) opening hours and (ii) implementing a time limit on the removal of the existing car park; the wording of such conditions be delegated to the Director of Customer and Digital in consultation with the Chair and Vice-Chair.

k **16/00737/FUL - Town Lane Farm, Town Lane, Heskin**

Registered speakers: John Morgan (objector) and Chris Weetman (agent)

A motion was proposed, and seconded, to defer the decision to allow Members to visit the site of the proposals and observe the location of the stables with regards to the amenity of the residents nearby. When the motion was put to the vote, the vote was lost (6:7:1).

RESOLVED (7:6:1) – That planning permission be approved, subject to conditions and an associated legal agreement outlined within the report. In addition to a pre-commencement drainage condition; the wording of which be delegated to the Director of Customer and Digital in consultation with the Chair and Vice-Chair.

16/00516/S106A - Land Surrounding Huyton Terrace, Previously Baly Place Farm, Bolton Road, Adlington

RESOLVED (unanimously) – That the request be accepted and the terms of the Unilateral Undertaking be amended.

16/00686/S106A - Land South of Cuerden Farm and Woodcocks Farm and Land North of Caton Drive, Wigan Road, Clayton-Le-Woods

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

16.DC.215 Enforcement Report - Nook Farm

RESOLVED (unanimously) – That the Enforcement notice be issued in respect of the following breach of planning control: Without planning permission the erection of a large garage.

16.DC.216 Any urgent business previously agreed with the Chair

Planning Services Manager, Paul Whittingham, informed Members that the Enforcement Notice on Sarscow Farm, Eccleston had been issued. An appeal made against this had been dismissed and the Enforcement Notice was to be upheld for a 3 month period which would be monitored by Officers.

Chair

Date

APPLICATION REPORT – 16/00420/FUL

Validation Date: 21 June 2016

Ward: Eccleston And Mawdesley

Type of Application: Full Planning

Proposal: Erection of floodlights over existing sand paddock (retrospective)

Location: Church Farm High Street Mawdesley Ormskirk L40 3TD

Case Officer: Mr Iain Crossland

Applicant: Mr Andrew Millin

Agent: N/A

Consultation expiry: 10 August 2016

Decision due by: 16 August 2016

This application was deferred from the previous development control committee meeting in order for a site visit to take place

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site forms part of a well-established equestrian centre located to the south west of Mawdesley village within the Green Belt. There are a number of grass paddock areas, sand paddocks, and equestrian related buildings across the site. A series of lighting columns have been erected to the perimeter of an existing sand paddock that appears to be in use as a show jumping training facility. The lighting is the subject of this application. There are trees and hedges to the periphery of the site with residential dwellings along Smithy Lane and in the settlement of Mawdesley to the north east. The character of the locality is predominantly rural, with open agricultural land beyond.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application is a made retrospectively for the erection of floodlights to the existing sand paddock. The lighting consists of 11 floodlights mounted on 11 monopoles spaced along the sides of the 70m long sand paddock. The floodlight poles have a height of 7.5m.

REPRESENTATIONS

4. Five letters of objection have been received raising the following issues:
 - Light pollution/nuisance
 - Out of character with rural location
 - Impact on Green Belt
 - Noise from tannoy system
 - Impact on wildlife

CONSULTATIONS

5. **Mawdesley Parish Council** – comment that the lights are already installed hence the retrospective application so the detrimental effect is already being felt by residents of the village.
6. They have referred to the 1995 White Paper: Rural England - A Nation Committed To A Living Countryside when the Government made clear its belief that the intrusiveness of lighting in the countryside should be kept to a minimum. The White Paper suggested that this could be achieved by improving design standards for lighting, varying light levels where these are inappropriate for rural settings, and taking advantage of opportunities to remove unnecessary lighting. The type of light fitting they have installed allows for a huge amount of light bleed due to them having no directional baffles.
7. In addition, these lights are not in line with the local plan policies on lighting, as well as policies on development in the countryside generally. Mawdesley Parish Council ask planning to recognise the cumulative impacts of lighting on countryside character of the village.
8. A public address system has been installed that is intrusive in a location like this where there were relatively low ambient noise levels. This system is used most weekends and evenings affecting the quiet rural character of Mawdesley which residents and visitors to the vicinity are entitled to have this preserved.
9. **Regulatory Services - Environmental Health** - have confirmed that no complaints have been received about noise from the use of the tannoy system in the last five years or regarding light nuisance since the lighting was erected last year.
10. If the “Guidance Notes for The Reduction of Obtrusive Light” from the Institute of Lighting Professionals is considered and implemented then the local residents should not suffer from a light nuisance.
11. **Ecology advice** - In this case there is no reason to believe that the lighting directly affects buildings, structures or trees that support bat roosts or badger sett entrances. Direct lighting of the adjacent hedgerow may deter nesting birds, although the high levels of activity in the sand paddock during the daytime will likely cause disturbance anyway. It is not considered that the potential loss of the hedgerow as bat feeding habitat will have a significant impact on local bat populations, partly because there are alternative feeding places nearby, and partly because the lighting will presumably operate most in the winter months (October to March) when bats are much less active. Floodlighting is capable of being made directional and its operation can be managed so that the lighting is employed only within set time limits. Most of the night-time can therefore remain un-lit.
12. No objection is raised to the scheme on nature conservation grounds, but the advice from Environmental Health that the “Guidance Notes for The Reduction of Obtrusive Light” from the Institute of Lighting Professionals should be properly considered and implemented. Following this guidance will reduce any impacts on wildlife as well as people. Further, the timing of the operation of the floodlights should be controlled by Condition, with a set curfew in the evenings.

PLANNING CONSIDERATIONS

Assessment

The main issues are as follows:-

Issue 1 – Impact on the Green Belt

Issue 2 – Neighbour amenity

Issue 3 – Impact on character and appearance of the locality

Issue 4 – Ecology

Principle of the Development

13. The National Planning Policy Framework (The Framework) supports economic growth in rural areas and specifically promotes the sustainable growth and expansion of all types of business and enterprise in rural areas. The application site forms part of a well-established equestrian centre that specialises in show jumping.
14. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. It advises that development which is harmful to the Green Belt should only be permitted in 'very special circumstances' and that these 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.
15. Paragraph 89 of the National Planning Policy Framework states that a local planning authority should regard the construction of new buildings as inappropriate in Green Belt. There are a number of exceptions to inappropriate development. One exception is the provision of appropriate facilities for outdoor sport and outdoor recreation, which are not considered inappropriate by the National Planning Policy Framework (The Framework) as long as they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
16. Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
17. Section F of the Rural Development SPD sets out more detailed guidance in relation to equestrian development. In assessing the acceptability of equestrian development the SPD states that where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.

Impact on the Green Belt

18. The floodlights have been erected around an existing sand paddock at a well-established equestrian centre. There are 11 floodlights mounted on 11 monopoles distributed to the east and west sides of the sand paddock. Views towards the site are filtered to some extent by the existing boundary hedges and trees. The slender profile of the monopoles and their dark colour reduce their visual prominence in the landscape, to the extent that they are not considered to be unduly harmful to openness.
19. With regards to the generation of light itself it is recommended that the hours of operation are limited by condition to between 4pm and 9pm daily, and that a condition is attached requiring the installation of lighting shields to further limit light spillage. This will support the operation of a well-established equestrian business, whose facilities are used by qualified show jumping coaches who train riders that are competing up to international show jumping level, whilst balancing the impact of light in a rural setting. Having the use of lighting during the winter months will enable Church Farm to keep the business operational and maintain continuity for the riders that use the facility for training.
20. On the basis that the monopoles are slender and 7.5m in height it is not considered that the floodlight structures themselves detract from the openness of the Green Belt and it is noted that the proposal does not involve the loss of countryside given that the sand paddock is already in situ. During darkness light may spill onto adjoining land, however, this will be limited by the use of an hours condition and the installation of lighting shields will further reduce sky glow and light spillage.

Impact on neighbour amenity

21. The floodlit sand paddock is located approximately 95m from the nearest dwelling at Stalk House Farm to the south east on High Street. It is noted that there are intervening structures and mature trees between this dwelling and the site. These help to filter views of the site and the light that is generated by the floodlights. Other properties on Smithy Lane are located at least 150m away from the site. Again there are intervening trees and hedges which help to filter views of the site and the light that is generated by the floodlights.
22. The Council's Environmental Health Officer raises no objection to the scheme and does not anticipate that the proposed lighting will cause a statutory nuisance to the occupiers of nearby residential properties. It is acknowledged that light will be visible from properties on Smithy Lane and High Street when the floodlights are in operation, however, it is not considered that this will result in an intensity of direct lighting that will be harmful to the living conditions of nearby residents given the degree of separation, positioning of flood lighting and restrictions placed upon operating times. Attaching conditions limiting the hours of operation of the floodlights and the use of light shields to limit spillage, will ensure that the floodlights do not impact on the amenity of neighbouring occupiers to a harmful extent.

Impact on character and appearance of the locality

23. The floodlights have been erected to an existing sand paddock at a well-established equestrian centre, which comprises a number of grass paddock areas, sand paddocks, and equestrian related buildings across the site along with a yard area and other equestrian paraphernalia. The installation of floodlighting is not considered to detract from the character or appearance of the rural landscape in this instance on the basis that the eleven monopoles are 7.5m high, slender in profile and dark in colour, which reduces their visual prominence in the landscape, particularly when viewed in the context of an extensive equestrian centre with associated buildings, structures and paraphernalia.
24. Although sky glow may be visible from the public footpath 75m to the south west and from High Street and Smithy Lane it is noted that the site is relatively close to the settlement of Mawdesley where there are street lights and other light sources, rather than in a more isolated and intrinsically dark landscape. Further to this it is recommended that the hours of operation of the floodlights will be limited by condition to between 4pm and 9pm daily and that a condition requiring the installation of light shields is attached, which will further limit light spillage and reduce the impact from sky glow and light trespass on the landscape.
25. As such, it is considered that the proposed development will not have an unacceptably detrimental impact on the character of the locality.

Ecology

26. Floodlighting in the countryside can cause some disturbance to nocturnal wildlife. Direct lighting of roost entrances can cause bats to abandon bat roosts, direct lighting of badger setts can deter badgers from occupying setts and direct lighting of hedgerows and tree lines can cause disturbance to potential bird nesting and roosting behaviour and, sometimes, bat feeding behaviour.
27. In consideration of the ecology advice received there is no reason to believe that the lighting directly affects buildings, structures or trees that support bat roosts or badger sett entrances. Direct lighting of the adjacent hedgerow may deter nesting birds, although the high levels of activity in the sand paddock during the daytime will likely cause disturbance anyway. It is not considered that the potential loss of the hedgerow as bat feeding habitat will have a significant impact on local bat populations, partly because there are alternative feeding places nearby, and partly because the lighting will generally operate in the winter months (October to March) when bats are much less active. Floodlighting is capable of being made directional and its operation can be managed so that the lighting is employed only within set time limits. Most of the night-time can therefore remain un-lit.
28. The applicant's statement demonstrates that the principles set out in the Guidance Notes for "The Reduction of Obtrusive Light" from the Institute of Lighting Professionals are to be

followed. Furthermore, it is recommended that the timing of the operation of the floodlights should be controlled by condition, with a set curfew in the evenings.

Other matters

29. Noise from the tannoy system: This does not form part of the proposed development and has not been assessed as part of the planning application, however, the environmental health officer has confirmed that they have received no complaints about noise from the use of a tannoy system in the last five years. The use of a tannoy system can be investigated as a statutory noise nuisance should complaints be received.

CONCLUSION

30. The 'principle' of facilities to support outdoor sport and recreation is an acceptable one. The development is not considered to detrimentally harm the openness of the Green Belt or landscape character and there is a suitable distance between the site and the adjacent residential properties to ensure that living conditions will not suffer detrimental harm. It is considered that there will be no severe residual cumulative impact as a result of the proposed development. It is therefore recommended that the application is approved.

RELEVANT HISTORY OF THE SITE

Ref: 99/00666/FUL Decision: PERFPP Decision Date: 2 November 1999
Description: Side extension to main building for use as office/restroom & toilets,

Ref: 03/00977/FUL Decision: PERFPP Decision Date: 23 December 2003
Description: Erection of building for show office / store,

Ref: 92/00155/FUL Decision: WDN Decision Date: 19 August 1992
Description: Use of existing office/toilet facility as residential unit during construction of dwelling

Ref: 92/00149/FUL Decision: REFFPP Decision Date: 28 April 1992
Description: Use of stables building for the fabrication of horse boxes

Ref: 90/00606/FUL Decision: PERFPP Decision Date: 25 September 1990
Description: Details of one detached house

Ref: 89/00116/FUL Decision: PERFPP Decision Date: 4 July 1989
Description: Erection of dwelling

Ref: 87/00719/FUL Decision: PERFPP Decision Date: 10 November 1987
Description: Relocation of riding training area from West side to South side

Ref: 87/00718/FUL Decision: PERFPP Decision Date: 10 November 1987
Description: Application for retention of barn

Ref: 84/00705/FUL Decision: REFFPP Decision Date: 29 January 1985
Description: Residential caravan for overnight security

Ref: 84/00452/FUL Decision: PERFPP Decision Date: 26 July 1984
Description: Erection of stable block for approximately 10 houses (approx.220 square metres floor area)

Ref: 79/01247/OUT Decision: REFOPP Decision Date: 7 January 1980
Description: Outline application for dwelling

RELEVANT POLICIES: In accordance with S.38 (6) Planning and Compulsory Purchase Act (2004), the application has been determined in accordance with the development plan

[the Central Lancashire Core Strategy (2012) and Chorley Local Plan 2012-2026 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.

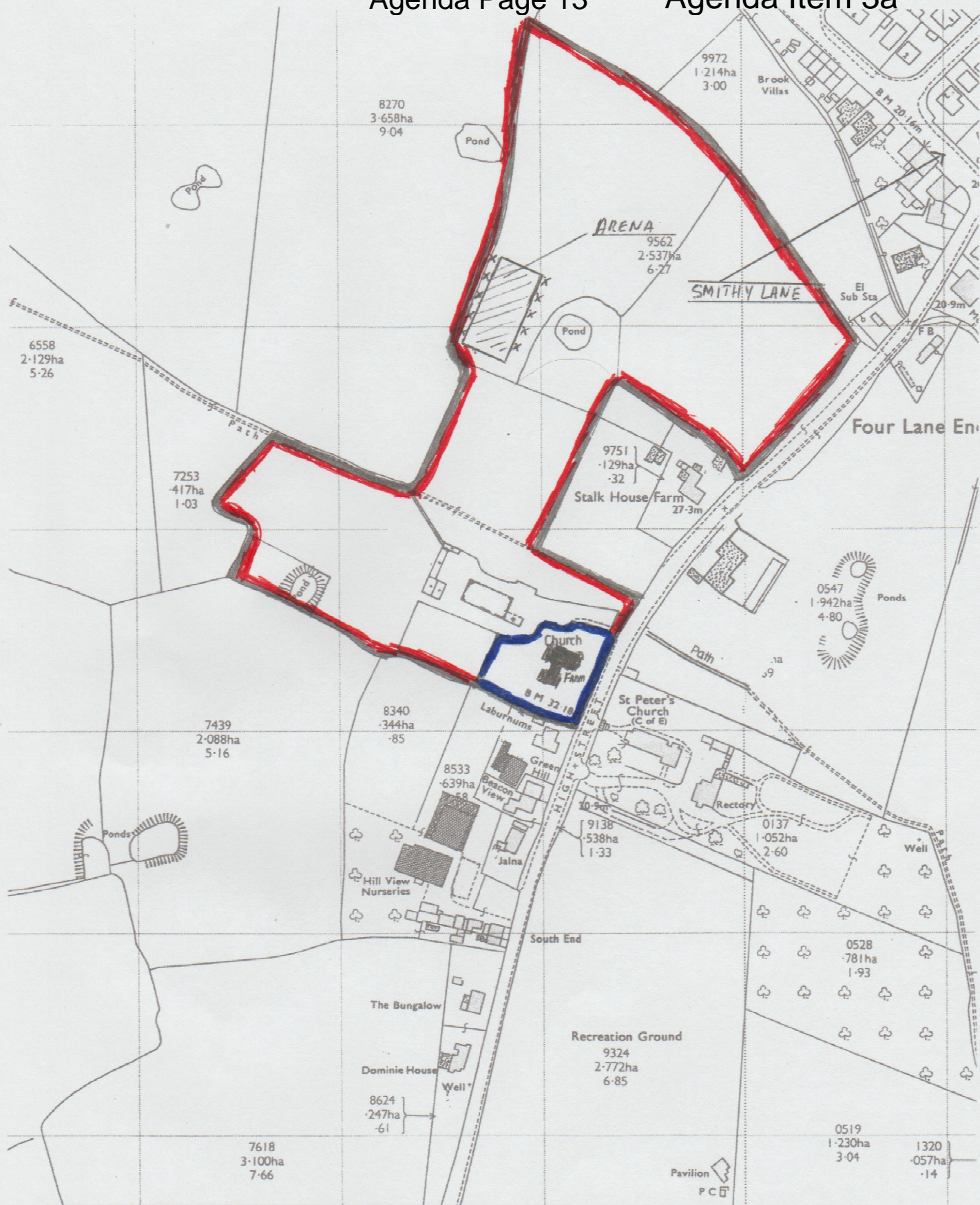
Suggested Conditions

1. The lighting columns hereby permitted shall be limited to 11 monopoles not exceeding 7.5m in height.
Reason: For the avoidance of doubt and in the interests of proper planning, in the interests of the rural character of the area.
2. The lights hereby permitted shall only operate between 16:00 and 21.00 and not at any other time.
Reason: In the interests of the rural character of the area, the amenity of the area, adjoining and nearby residential properties.
3. The floodlighting hereby permitted shall not be used until floodlighting shields, hoods, cowls or louvres have been fitted or an alternative floodlight type has been specified, the details of which must be submitted to and approved in writing by the Local Planning Authority. These details shall be submitted within two months of the date of this planning permission, and shall be installed within one month of the date the details are approved in writing. The approved shields and floodlight type shall then be retained in perpetuity.
Reason: For the avoidance of doubt and in the interests of proper planning and the protection of rural character of the area

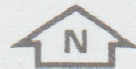
4. The development hereby permitted must only be completed in accordance with the approved plans. The approved plans are:

Plan Ref.	Received On	Title:
	21 June 2016	Location Plan
Drwg 2	05 May 2016	Site plan
Drwg 3	05 May 2016	Floor plan
Drwg 3A	05 May 2016	Elevations

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



Title	
Plan to accompany	
REF 16/00420/FUL	
Scale 1:2500	CHURCH FARM
Grid Ref. SD.488144	HIGH STREET, MAWDESLEY, GRMSKIRK
Date 7th June 2016.	L40 3TD.



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APPLICATION REPORT – 16/00726/FUL

Validation Date: 5 August 2016

Ward: Clayton-le-Woods And Whittle-le-Woods

Type of Application: Full Planning

Proposal: Demolition of existing buildings and erection of new building to provide ground floor retail (Class A1) neighbourhood convenience store with 4no. apartments above

Location: Duke Of York Hotel 144 Chorley Old Road Whittle-Le-Woods Chorley PR6 7LR

Case Officer: Mr Iain Crossland

Applicant: Whittle Estates LTD

Agent: Mr Joshua Hellowell

Consultation expiry: 2 September 2016

Decision due by: 30 September 2016

RECOMMENDATION

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

SITE DESCRIPTION

1. The application site is occupied a disused public house with a car park located within the core settlement area of Whittle Le Woods. The site is positioned on Chorley Old Road and is bound by the steep wooded embankment of a disused canal to the north. There is existing vehicular access to Chorley Old Road to the west of the site. There are dwellings to the east and south side.
2. The disused public house is of traditional appearance and is faced in painted render. The building has been subject to a number of alterations over time. The area is characterised predominantly by residential dwellings in a variety of designs and styles, which result in a mixed character.
3. The topography of the site itself is fairly flat although there are changes in levels beyond the site boundary.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The proposed development is for the demolition of the existing public house and erection of a new building to provide a ground floor retail unit (Class A1) containing a neighbourhood convenience store with 4no. apartments above.
5. There would be a car park, turning and delivery areas with vehicular access to Chorley Old Road.

6. The proposed building would be two storeys in height with a single storey projection to the east side. The building would measure approximately 12m by 24m. It would have a mono pitched roof with heights of approximately 8m and 7.4m. There would be a stairwell to the north side of the building and a plant store to the east side.

REPRESENTATIONS

There have been 6 letters of support relating to the following issues:

- The shop would provide a much needed service to the area
- The modern design would make a positive contribution to the area
- The shop would create job opportunities
- The proposal would bring life into the area rather than a derelict site

There have been 5 letters of objection from 4 addresses relating to the following issues:

- Impact on amenity as a result of noise from deliveries
- Impact on amenity as a result of smells from the bins
- The design would not be in keeping with the area
- There is no need for additional convenience stores in the area
- Impact on highway safety

CONSULTATIONS

Whittle Le Woods Parish Council – Have commented that while Parish Councillors are pleased that, after a prolonged wait, some plans are now in place for this site, they felt strongly that there should be a move towards creating a building architecturally more sympathetic and in keeping with the area. For example, there are no other roofs of this type in this area. It was felt that some form of community consultation could be beneficial (there has not been any formal consultation) as this is a community facility.

Lancashire Archaeological Advisory Service – Recommend a condition requiring a programme of archaeological recording and analysis.

Greater Manchester Ecology Unit – No objection

Lancashire Highway Services – No comments have been received

United Utilities - No objection to the proposed development

PLANNING CONSIDERATIONS

Principle of the development

7. The National Planning Policy Framework (The Framework) states that planning should seek to encourage the effective use of land that has been previously developed, although it does not preclude the development of previously undeveloped land. One of the other core principles of the Framework is that development should be focussed in locations that are sustainable. The Framework also states that development in sustainable locations should be approved without delay.
8. Guidance contained within the Framework seeks to ensure the vitality of town centres and requires local planning authorities to, amongst other things, apply a sequential test to planning applications for main town centre uses that are not in an existing centre and are not in accordance with an up to date Local Plan. When considering out of centre proposals preference should be given to sustainable sites that are well connected to the town centre. As such in accordance with the Framework a proposal for new retail provision within an out of centre location requires a sequential test.
9. The application site is located in the core settlement area of Whittle Le Woods. The Core Strategy Policy 1 is concerned with located growth and identifies Whittle Le Woods as an Urban Local Service Centre suitable for some growth and investment in Policy 1(d) of the Central Lancashire Core Strategy.

10. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
11. The application site is a disused public house. The Framework, section 28, provides support for pubs that are important for tourism or necessary as village facilities. This facility is not within a village but a neighbourhood of Chorley.
12. The Framework section 70 stipulates that to deliver the social, recreational and cultural facilities and services the community needs, planning policies and decisions should:
 - Guard against the unnecessary loss of valued facilities and services particularly where this would reduce the community's ability to meet its day to day needs;
 - Ensure that established shops, facilities and services are able to develop and modernise in a way that is sustainable, and retained for the benefit of the community.
13. Core Strategy Policy 25 (Community Facilities) ensures that local communities have sufficient community facilities provision by (c) resisting the loss of existing facilities by requiring evidence that they are no longer viable or relevant to local needs.
14. Policy HW6 of the Chorley Local Plan 2012 - 2026 reflects this and specifically seeks to protect public houses from redevelopment. This policy states that the loss of a public house will be permitted where it can be demonstrated that:
 - a) The facility no longer serves the local needs of the community in which it is located;
 - b) Adequate alternative provision has been made, or is already available, in the settlement or local area; and
 - c) The use is no longer financially viable; and
 - d) The facility is in an isolated location remote from public transport routes; or
 - e) There is an amenity or environmental reason why the facility is no longer acceptable.The loss of the pub is assessed below.
15. Policy EP9 of the Chorley Local Plan 2012 - 2026 reinforces the guidance contained within the Framework and permits out of centre retail development within accessible locations, which do not harm the amenity of the area and which do not detract from the function, vitality and viability of the town centre.
16. A sequential assessment has been submitted with the application that makes specific reference to the nearby Chorley Old Road Local Centre. The applicant has considered sequentially preferable sites and premises and has not identified any sequentially preferable sites or premises that would be suitable for the application proposal. The list of premises/sites are limited in this location but are considered unsuitable for a range of reasons including being either too small for the optimum retail floorspace and/or offers no scope for the inclusion of residential units; are not available now; and have no designated car parking spaces thereby proving difficult for the operator to achieve the anticipated customer numbers. There is no requirement to demonstrate impact as part of this application as the Framework sets out that local planning authorities only require an impact assessment if the development is over threshold is 2,500 sq m. The proposed development would be well within this threshold.
17. The aim of the sequential test is to minimise the need to travel, provide a diverse range of services in one central location and make facilities accessible to all. The approach is intended to sustain and focus growth and investment in local centres. It is considered that the applicant has addressed Policy EP9 (Development in the edge of centre and out of centre locations) criterion a) and c). The proposal meets a local need and can be accessed in its catchment by walking, cycling or public transport and the proposal does not detract from the function, vitality and viability of the Chorley Old Road Local Centre, Whittle Woods. Whether the proposal does not harm the amenity of an adjacent area – criterion b) EP9 is addressed later in the report.

Loss of the public house

18. The public house on the application site has become vacant since the time that the application was submitted. Its loss is assessed against the criteria of Policy HW6 of the Chorley Local Plan 2012-2026.
19. a) The facility no longer serves the local needs of the community in which it is located; The building has not operated as a public house for approximately eight years and as such it has been some time since the building served the local needs of the community.
20. b) Adequate alternative provision has been made, or is already available, in the settlement or local area
There are three operational public houses, The Roebuck, The Dog Inn and the Royal Oak located within an 800m radius of the site, the latter being just over 300m from the development. These alternatives are within walking distance of the site and would realistically cater for any latent demand as a result of the loss of the Duke of York and a public house facility.
21. c) The use is no longer financially viable
The fact that the pub has been vacant for approximately 8 years suggests that it is no longer financially viable.
22. d) The facility is in an isolated location remote from public transport routes
The facility is not in an isolated location and is easily accessible.
23. e) There is an amenity or environmental reason why the facility is no longer acceptable.
The public house is closed to the public and has been boarded up rather unsympathetically. The site is no longer maintained and is clearly suffering a sense of abandonment, which detracts from the amenity of the local area. Based on the re-establishment of a public house facility on site appearing unlikely and the declining visual amenity of the site it is considered that there are amenity reasons for the existing facility no longer being acceptable.
24. On the basis of the factors assessed above it is considered that the loss of the public house as a community facility should be accepted in this instance.

Design and impact on the character of the area

25. The proposal is for the erection of new structure of contemporary design that would contain a neighbourhood convenience store at ground floor level with four one bedroom residential apartments situated on the first floor. The proposed building would have a mono pitched roof and would be faced in red brick, grey cladding panels and render with large glazed units at ground floor. This would result in a simple modern design that is not uncommon amongst modern retail units and suits the needs of current retail methods in a functional and efficient manner.
26. There are a range of property types and styles in the area that have been developed over different periods of time resulting in mix of designs across the locality. There are semi-detached dormer bungalows faced in red brick to the immediate south of the site, terraced dwellings of standard design faced in grey render opposite the site to the west, and stone terraces beyond the disused canal to the north side of the site. Beyond the immediate area of the site there is a plethora of design styles including more contemporary designs. As such the proposed building would not be out of place when considering the mix of architectural styles prevalent in the surrounding area. In addition the proposal would result in an increased architectural diversity in the area.
27. The proposed building would have a dual aspect, which is of particular benefit in relation to the application site, as it would provide an active street frontage onto Chorley Old Road as well as a frontage with features of interest facing the proposed car park to the south side, which would be visible on approach from the south. The scale of the building is appropriate in the context of the site and surrounding structures with a roof height slightly below that of

the ridge height to the adjacent properties to the south at 142 and 140 Chorley Old Road, and below that of 146 Chorley Old Road to the north side. The use of a shallow mono pitched roof as opposed to a dual pitched roof means that the height of the proposed building can be kept to a modest scale in keeping with neighbouring structures.

28. There would be modest peripheral landscaping provided and the protected trees to the north of the site would be retained. These help to soften the impact of the proposed development. New hard surfacing would be installed, which would improve the appearance of the wider site.
29. The proposed development would result in a physical improvement to the appearance of the site, which currently appears somewhat abandoned and rather dilapidated. The existing building is of a traditional design but has been altered unsympathetically over time and alongside its deterioration has a negative impact on the street scene. The public house is now vacant resulting in a sense of abandonment, which detracts from the character of the area. It is acknowledged that an active use needs to be established on the site to address this. The proposal would result in the demolition and removal of the public house to make way for the proposed convenience store and flats with associated parking areas and landscaping. The proposed development would therefore result in an overall improvement in the appearance of the site and would subsequently enhance the character of the area.
30. The development is, therefore, considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 – 2026.

Impact on neighbour amenity

31. The proposed building would be located approximately 7.2m from the nearest property at Naylor's Fold. The proposed building would be located to the north west of this dwelling and would therefore have little impact on light. It is noted that the part of the building nearest to this dwelling is single storey with a maximum height of 4.7m and that the windows to Naylor's Fold would not face the proposed building. There would be windows to habitable rooms in the first floor elevation facing Naylor's Fold. These would be located approximately 12m from the boundary with this property and as such this meets with the Council's adopted interface guidelines.
32. It is noted that a bin store was proposed on the boundary of the site with Naylor's Fold. This has since been removed from the scheme. The prospective tenants have confirmed that there are certain stores that operate through back-hauling the bagged waste daily to the central recycling centre. This means that the store can operate without bin storage, as waste is temporarily stored in bags within the building. It has been confirmed that the prospective operator is prepared to work in this way at this site and hence the bin-store has been removed from the scheme altogether.
33. The proposed building would be located approximately 25m from the nearest dwelling to the south side at 142 Chorley Old Road. There would be windows to habitable rooms in the first floor elevation facing this neighbouring property. These would be located approximately 18m from the boundary with this property and as such this meets with the Council's adopted interface guidelines. Given the scale of the proposed development and degree of separation there would be no adverse impact on the outlook, privacy or light levels of the occupiers at 142 Chorley Old Road.
34. The proposed building would be located approximately 28m from the nearest dwelling to the north side at 146 Chorley Old Road. There is dense vegetation between the site and this dwelling, and given the scale of development and degree of separation there would be no adverse impact on the outlook, privacy or light levels of the occupiers at 146 Chorley Old Road.
35. In terms of the impact on noise and disturbance it is acknowledged that the use of the site to include a convenience retail store would result in the arrival and departure of customers and the delivery of goods and collection of waste. There would be a designated service yard to the rear of the site, which is where deliveries would be directed. This would be screened in

respect of the adjacent residential properties. It is also recommended that conditions controlling hours of operation are attached to any grant of planning permission to ensure that the amenities of the neighbours are protected.

36. It is also noted that in relation to the existing use of the site, noise and disturbance generally associated with public houses can be problematic in residential areas from a neighbour amenity perspective. As such it is considered that the proposed development of a neighbourhood convenience store with four flats would have less impact on the amenity of neighbouring occupiers from noise and disturbance than a public house.

Impact on highways/access

37. The proposed development would result in four one bedroom dwellings and a 185 square metre neighbourhood store. Off street car parking has been identified on the proposed site plan for 17 vehicles within the site and provision for secure and covered cycle storage. This meets with the requirements of the adopted parking standards set out in relation to policy ST4 of the Chorley Local Plan 2012 – 2026.
38. In addition the application site is located within the core settlement area of Whittle Le Woods, within walking distance of a large catchment of residential properties. There are good pedestrian links across the area and the location is considered to be a sustainable one. In addition to this the creation of a new neighbourhood convenience store would reduce the need for residents of the local area to have to drive elsewhere for top up shopping.
39. The site currently has an existing vehicular access from Chorley Old Road, which would be retained within the proposed development. This impact on highway safety would therefore be similar to the existing situation with vehicles carrying out similar manoeuvres.

Ecology and trees

40. The site consists of a public house structure, hard surfaced car park, and some landscaping with trees and shrubs. Although there is a vegetated corridor to the immediate north of the application site, which has some local ecological value, the proposed development does not significantly encroach into this area. Tree loss and tree pruning would be relatively minor, and some new landscape planting is proposed, which would mitigate these works. It is noted that there are three trees protected by Tree Preservation Orders to the north of the site. It is not proposed to carry out any works to these trees, however, in order to protect the trees during the construction phase of development it is recommended that a condition is attached to any grant of planning permission requiring the measures set out in the Tree Protection Plan to be followed.
41. The existing public house building has been assessed as having some limited potential to support bats. It is considered that the measures described in section 3.2 of the 'Summary Ecological Report' represents a proportionate response to any risk of harm to bats. It is recommended that this be required to be implemented by condition following any grant of planning permission. All UK bats are specially protected in law.

Public Open Space

42. The proposed development would generate a requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD. This would result in a contribution towards off-site provision for children/young people in Whittle-le-Woods totalling £536 towards the improvement of site 1535.1 - Delph Way.
43. The grant of planning permission is subject to the applicant entering into a Section 106 agreement to make an off-site contribution towards the requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026.

CIL

44. The development is CIL liable and is subject to the adopted CIL charges and associated regulations.

CONCLUSION

45. The proposed development would have the benefit of providing a neighboured convenience store and new housing in a sustainable location. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition there would be no unacceptable impact on highway safety or ecology. On the basis of the above, it is recommended that planning permission be granted.

RELEVANT 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.

RELEVANT HISTORY OF THE SITE

Ref: 00/00155/FUL Decision: PERFPF Decision Date: 9 June 2000
 Description: Single storey extension to public house,

Ref: 99/00657/FUL Decision: WDN Decision Date: 17 November 1999
 Description: Extensions and alterations,

Ref: 15/00619/TPO Decision: PERTRE Decision Date: 12 August 2015
 Description: T1 - Sycamore - Remove lower branch over car park towards pub, crown reduce upper canopy by 2m to secondary branches.
 T2 - Sycamore - Remove two lower branches over pub, crown reduce upper branches by 2m over pub. Remove 2 lower basal stems.
 T3 - Sycamore - Crown reduce branches to clear pub by 2m
 All work to reduce encroachment onto pub to allow extension/development.

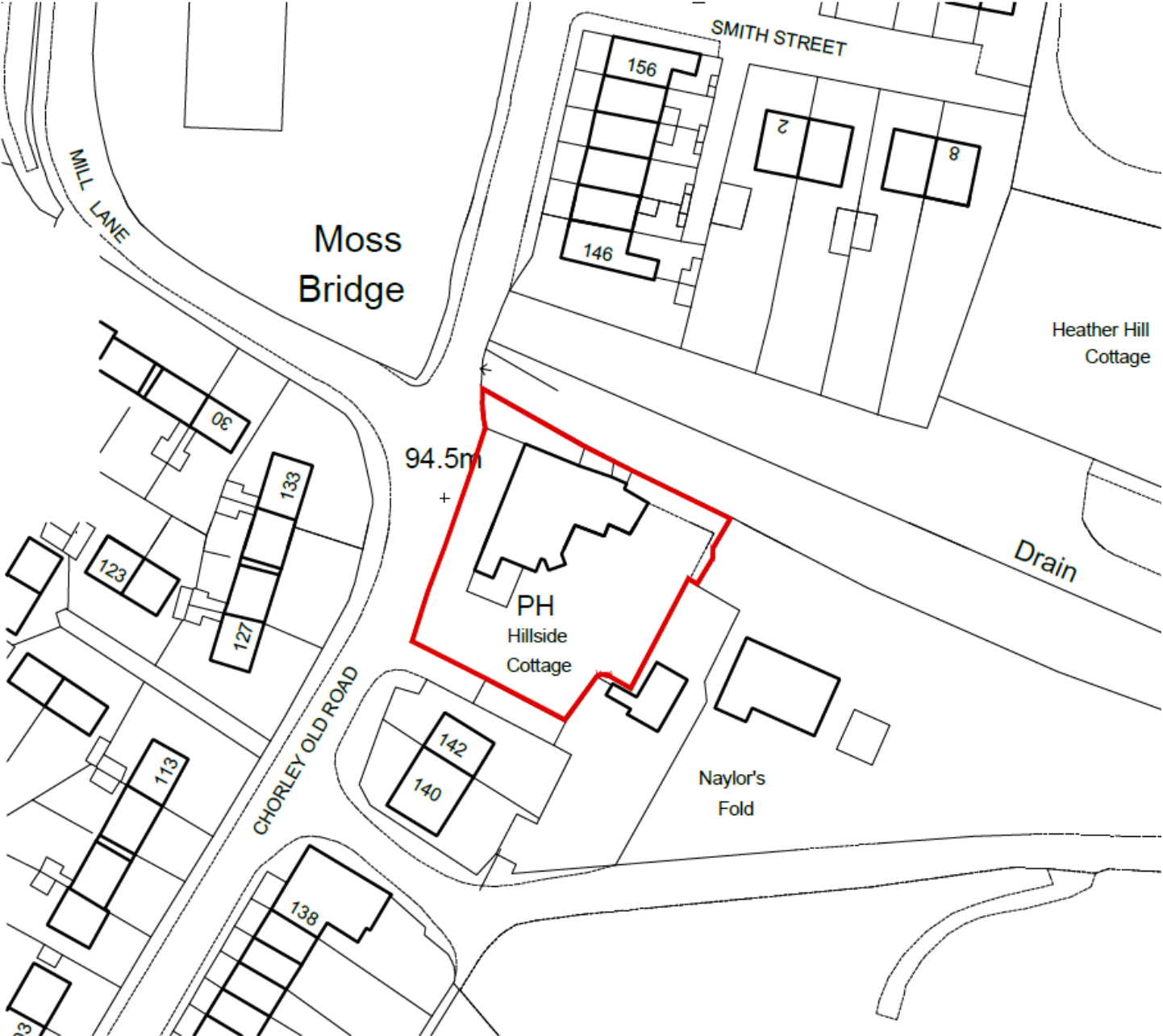
Suggested Conditions

No.	Condition												
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>												
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>15/032/P03</td> <td>04 August 2016</td> </tr> <tr> <td>Proposed Street Scene, Elevations, Section, Site Plan & Existing Location Plan</td> <td>15/032/P01 Rev.B</td> <td>28 September 2016</td> </tr> <tr> <td>Proposed elevations</td> <td>15/032/P02 Rev.A</td> <td>04 August 2016</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	Location Plan	15/032/P03	04 August 2016	Proposed Street Scene, Elevations, Section, Site Plan & Existing Location Plan	15/032/P01 Rev.B	28 September 2016	Proposed elevations	15/032/P02 Rev.A	04 August 2016
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Proposed elevations	15/032/P02 Rev.A	04 August 2016											
3.	<p>The external materials as detailed on the approved plans shall be used and no</p>												

	<p>others substituted unless alternatives are submitted to an agreed in writing by the Local Planning Authority.</p> <p><i>Reasons: In the interests of the visual amenity of the area in general and the existing building in particular.</i></p>
4.	<p>The car parking and vehicle manoeuvring areas that have been marked out in accordance with the approved plan reference 15/032/P01 Rev B received on 28 September 2016 shall be retained in accordance with this plan and shall thereafter not be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p><i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas and highway safety.</i></p>
5.	<p>No temporary refrigeration units are to be used in the outdoor areas of the service yard other than in exceptional circumstances (such as the failure of internal refrigeration units). In such exceptional circumstances full written permission will be sought from the Local Planning Authority prior to, or within 24 hours of, the temporary refrigeration units being used in the outdoor areas of the service yard.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
6.	<p>Deliveries, servicing and collections to and from the retail unit hereby permitted, including waste collections but excluding the delivery of newspapers, shall not take place outside the following hours:</p> <ul style="list-style-type: none"> • 07:00 to 19:00 hours Monday to Saturday • 09:00 to 13:00 hours Sundays and bank holidays <p>Where exceptional circumstances require deliveries/servicing/collections to take place outside these stated hours, full written permission will firstly be sought from Chorley Council.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
7.	<p>The retail unit hereby permitted shall only operate between 06:00 and 23:00 Mondays to Sunday.</p> <p><i>Reason: In the interests of the amenity of the area and adjoining and nearby residential properties.</i></p>
8.	<p>No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.</p> <p><i>Reason: To prevent harm to British birds nests and eggs, which are protected by Section 1 of the Wildlife & Countryside Act 1981.</i></p>
9.	<p>The development hereby permitted shall be carried out following the recommendations stipulated in section 3.2 of the Summary Ecological Report prepared by Cameron Crook and received 04 August 2016.</p> <p><i>Reason: Due to the potential presence of bats and to ensure that protected species are not harmed.</i></p>
10.	<p>During the construction period, all trees to be retained within the site or on the site boundaries shall be protected in accordance with the Tree Protection Plan (Dwg. no. 5156.02 Revision A) and Arboricultural Impact Assessment and Method</p>

	<p>Statement (Revision A) prepared by TBA Landscape Architects and received 04 August 2016.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
<p>11.</p>	<p>Foul and surface water shall be drained on separate systems.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p>
<p>12.</p>	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.</p> <p>The development shall be completed in accordance with the approved details.</p> <p><i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the National Planning Policy Framework and National Planning Practice Guidance.</i></p>
<p>13.</p>	<p>Prior to the commencement of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:</p> <ol style="list-style-type: none"> a. The arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a Resident’s Management Company; and b. Arrangements concerning appropriate funding mechanisms for its ongoing maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as ongoing inspections relating to performance and asset condition assessments, operation costs, regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime. <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To manage flooding and pollution and to ensure that a managing body is in place for the sustainable drainage system and there is funding and maintenance mechanism for the lifetime of the development.</i></p>
<p>14.</p>	<p>Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (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 building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the</i></p>

	<i>amenities of occupiers of nearby property.</i>
15.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
16.	<p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</i></p>
17.	<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 the dwelling(s) and first use of the neighbourhood convenience store they serve; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
18.	<p>A minimum of 4no. parking spaces shall be reserved and made available solely for the use of the occupiers of the flats hereby approved and shall thereafter be permanently retained for that purpose.</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>



Location Plan 1:1250

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Agenda Item 3C**APPLICATION REPORT – 16/00614/FUL**

Validation Date: 7 July 2016

Ward: Chisnall

Type of Application: Full Planning

Proposal: Part-retrospective application for the change of use of barn to use for corporate entertainment in connection with a shooting school, and an office and storage space for use in connection with the farm businesses, and associated car parking

Location: Swifts House Farm Bentley Lane Heskin Chorley PR7 5UY

Case Officer: Mr Iain Crossland

Applicant: Mr Fiddler

Agent: Ms Sophie Marshall

Consultation expiry: 31 August 2016

Decision due by: 1 September 2016

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site comprises a traditional agricultural barn building located within the curtilage of Swifts House Farm in the rural district of Heskin. The barn itself is a Grade II listed building of traditional agricultural character. The building is faced in stone and there is a corrugated panel roof. The building is set in a cobbled courtyard and forms part of the original farm yard. The site is located in the Green Belt in an area of rural character.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The proposed development is for the change of use from an Agricultural Barn to a mixed use for corporate entertainment in connection with a shooting school and an office and storage space for use in connection with the farm businesses.
4. The use of part of the barn for corporate entertainment would provide a venue that would be used for shooting school groups to meet, receive instruction, relax, dine and take refreshments (such as breakfast, lunch and afternoon tea). There would be no music used in connection with this use, and the use would operate between the hours of 09:30 and 18:30.
5. Off street car parking for 10 vehicles would be provided in the yard on the opposite side of Bentley Lane from the barn and Swifts House Farm itself.

REPRESENTATIONS

Cllr Whittaker request that the application be determined by committee

Five letters of objection have been received raising issues that are summarised below:

- Impact on the amenity of local residents through noise, privacy and disturbance
- Impact on the character of the area
- Impact on Green Belt
- Impact on highway safety
- Recent Planning permission on Farm Depot is already being contravened. Permission states that all vehicle stored, MUST be under cover. This is not happening. Will this Condition also apply?
- An attempt to circumvent the system through repeated applications.
- The applicant would not comply with conditions

CONSULTATIONS

Lancashire Highway Services – No objection

Regulatory Services - Environmental Health – No comments received

Conservation Officer - I consider the proposed development to be acceptable as it will preserve the appearance of both the listed building and the adjacent listed building and thus also sustain the significance of these designated heritage assets.

West Lancashire Borough Council - raises an objection to the proposal due to concerns regarding the nature of the entertainment venue and the provision of a shooting school and the potential for noise disturbance in close proximity to neighbouring properties. In addition, the Council is concerned that the proposal will result in increased traffic to and from the site on this rural road.

Heskin Parish Council

- a) there is no indication of what exactly a "shooting school "is. What type of guns?
- b) There is no indication of where the shooting will take place. There are houses nearby.
- c) the "entertainment" is similar to that applied for in the past and could lead to disturbance for nearby residents and serious loss of amenity.
- d) the site is very close to two sharp bend and people crossing the road could be in danger.
- e) parking has previously been applied for and its been established that any parking should be out of site or indoors.

The Council feel strongly that this application should be refused. It's in the wrong place and will cause great disturbance to residents both in Heskin and Hilldale, and Wrightington (both West Lancs).

Hilldale Parish Council

Grounds for objection:

1. Adverse impact on the amenity of local residents, including noise & disturbance
2. Adverse impact on the character of the area
3. Adverse effect on highway safety

Wrightington Parish Council

Wrightington Parish Council wish to register their objections to these proposals, as they have done in the past, as the access to the site is completely inadequate with extremely poor sight lines and, the proposals would result in over development of the site which would have a detrimental impact on the Green Belt and rural nature of the surrounding land.

PLANNING CONSIDERATIONS

The main issues are as follows:-

Issue 1 – Impact on the Green Belt

Issue 2 – Impact on designated heritage asset

Issue 3 – Impact on character of the locality

Issue 4 – Impact on neighbour amenity

Issue 5 – Impact on highways/access/sustainable location

Principle of the Development

6. The Framework is supportive of sustainable development and most specifically in the context of this rural site states that Local Authorities should *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings*. This includes the promotion of the development and diversification of agricultural businesses. It is accepted that the existing barn that is the subject of this application is unsuitable for modern farming practices as it is inaccessible to modern agricultural machinery and vehicles as well as providing inadequate ventilation for storage of bales or for keeping livestock. The proposed use would allow the existing agricultural enterprise to develop and diversify, making use of an underused building that is a heritage asset.
7. In terms of fulfilling the three dimensions to sustainable development: economic, social and environmental the proposal, which is an agricultural diversification project, would have a clear economic role in this respect. Socially, the venue could provide a facility of local people to use and in terms of its environmental role, the proposal would be beneficial insofar as it would help protect the historic environment by providing a viable re-use for a listed building.
8. Policy 13 of the Central Lancashire Core Strategy supports recreational uses in rural areas and allows for the sensitive conversion and alternative use of farm buildings. The policy goes on to state that any such development should be of an appropriate scale and be located where the environment and infrastructure can accommodate the impacts of expansion. The proposed development does not constitute a new large scale leisure development, and it would not be contrary to the aims of Policy 1 and 13 of the Central Lancashire Core Strategy.
9. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development and conversions provided that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
10. Policy BNE1 goes on to state that planning permission will be granted provided that the proposal would not adversely affect the character or setting of a listed building.
11. Chorley Local Plan 2012 – 2026, Policy BNE8 refers to the Protection and Enhancement of Heritage Assets. This 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.'

Impact on a designated heritage asset

12. Both Swift's House Farm and the barn, which is the subject of this application, are designated heritage assets as defined by annex 2 to the Framework. Both are Grade II listed buildings. In this case it is not proposed to make any physical alterations to the building either internally or externally, it is merely the use that is changing. Whilst previously some alterations have been undertaken as regards the interior of the building it is considered that these are temporary and easily reversible and do not materially affect the structure, character, appearance and therefore also the significance of the building. As a heritage asset it is recognised that it would be beneficial that a viable re-use of Swifts House Barn is found.

13. It is considered that the proposal will sustain the significance of both the designated heritage assets on the site and also that imbued within their setting. The application accords with both national and local policy and is consequently considered to be acceptable in relation to the impact on a designated heritage asset.

Impact on the Green Belt

14. The application site is located in a rural location on Bentley Lane in the Green Belt. No external alterations are proposed as part of the development.
15. The Framework is silent on change of use proposals, however, the re-use of buildings is considered not inappropriate in Green Belt provided that the buildings are of permanent and substantial construction.
16. The proposed use would introduce a corporate entertainment facility and office and storage to support the existing farm businesses onto an agricultural site in an area characterised by the activities associated with agriculture and rural pursuits. Although the proposed use differs from those traditionally associated with the locality there would be no physical impact on the character of the landscape. As such no harm would be presented to the purposes of including land within the Green Belt.

Impact on character of the locality

17. There would be no external alterations to the property and therefore no impact on the appearance of the building or locality.
18. The proposed development would introduce a different type of use onto the site through the establishment of a corporate entertainment facility, however, this would be small scale and low intensity given the type of use as a meeting and convening place for instruction, refreshment and briefings. There would be limited arrivals and departures at the property and these would be restricted to daytime hours only. There would be no music played at the venue. As a result of these factors the noise and disturbance that would be generated would be of such low levels that there would be no change in the character of the area.
19. The use of the building for office and storage in connection with the farm business would have little noticeable impact.
20. It is therefore considered that the scope of the proposed use would have little impact on the character of this rural location and would not result in any harmful change to the existing character.

Impact on neighbour amenity

21. The application building is located approximately 110m from the nearest dwellings at Hawkshead to the east along Bentley Lane and Harrock Glen to the south west along Bentley Lane. Other properties on Bentley Lane to the south west are approximately 190m away and on Barmskin Lane to the north east are approximately 250m away.
22. It is considered that the office and storage aspects of the proposal would have a very limited impact on the amenity of neighbouring occupiers, owing to their small scale and distance from the nearest properties, along with their associate with the existing farm businesses.
23. The corporate entertainment use would be in connection with a shooting school. The building would be used for shooting school groups to meet, receive instruction, relax, dine and take refreshments (such as breakfast, lunch and afternoon tea). There would be no music used in connection with this use. It is anticipated that the building would be used by such groups mainly from 10.00 a.m. until 6.00 p.m. and would cater for shooting groups of up to 30 people. It is possible that the use would extend beyond these hours due to early health and safety briefings and early/late arrivals/departures. It is therefore recommended that a condition is attached to any grant of planning permission limiting the operating hours to between 09:30 and 18:30 allow from some early and late arrival, but to prevent operation into the evenings, so as to protect neighbouring occupiers from noise and disturbance associated with people arriving at and leaving the venue at more sensitive times of day.

24. It is noted that a number of objections have been received in relation to potential noise and disturbance from the site. It is acknowledged that the noise that could be generated from within the venue itself through amplified and non-amplified music and through the noise and disturbance associated with people arriving at and leaving the venue was a specific concern in relation to a previous application at the site, which result in refusal of the application. This proposal differs in that no music would be played in the building as a result of the proposed use, and it is recommended that this is confirmed via an appropriate condition. In addition to this lower number of people using the building would be anticipated and the hours of operation would be confined to the daytime and not the evenings. As such any noise and disturbance from those arriving at and leaving the venue is likely to be of a low level and would not take place during the more sensitive times of the day, such as evenings, which are intrinsically quieter.
25. It is therefore considered that the levels of noise and disturbance generated by the use of the building itself and as a result of arrivals and departures would be relatively low level and would not be harmful to the amenity of neighbouring occupiers.
26. A number of concerns have been received in relation to the actual shooting activities of the shooting school. This does not form part of the planning application and the proposed development relates solely to the use of the barn itself. It is understood, however, that the applicant currently runs a clay pigeon shooting school at a nearby site. The proposal that is assessed here is to allow the building to be used for shooting school groups to meet, receive instruction, relax, dine and take refreshments in support of this activity. The shooting activity does not have to take place on site for the building to be used in this way. In addition it is noted that clay pigeon shooting may be permitted on land for not more than 28 days in total in any calendar year under Schedule 2, Part 4, Class B of the General Permitted Development Order 2015. As such shooting could take place at a number of separate locations over the year without the need to apply for planning permission.
27. No details have been provided as to operation of the shooting activities themselves.

Impact on highways/access/sustainable location

28. The car parking for the proposed entertainment venue, office and storage would be located on the opposite site of Bentley Lane in a former agricultural yard now used as part of a facility for the storage of caravans. The site currently has an established vehicular access to Bentley Lane and is in the control of the applicant.
29. There would be car parking provision of 10 spaces. The LCC Highways officer previously estimated that 10no. parking spaces would be required for the entertainment aspect of the proposal, 2no. for the office and a single space for the storage and warehousing. Despite there being 3no less spaces than required, LCC Highways considers that the depot area is large enough with adequate hard-standing to accommodate parking in excess of the number required and that there would still be room available for turning and dropping off / picking up visitors and patrons to the entertainment centre. In addition to this the office and storage are unlikely to create an additional demand on parking being used in connection with the existing farm businesses.
30. With regards to the safe use of the parking area and venue the LCC Highway Officer observed on site that although Bentley Lane is subject to 60mph, the actual vehicle speeds on the approach to the site appeared very low. This was as a result of limited forward visibility and the road bend inherently serving as traffic calming feature and forcing drivers to reduce speeds to be able to safely negotiate the bend. The majority of drivers were therefore observed exercising the necessary caution on approach to the site access. Traffic volumes were not identified to be a problem as the frequency of use of Bentley Lane seemed no different from other rural roads within the Chorley Borough.
31. On this basis it is considered that there would be adequate car parking and pick up / drop off space to support the proposed use, and that the existing established access is safe. No objection is raised by the LCC Highways Officer in relation to this proposal.

32. It is worthy to note that in response to an appeal on the previous planning application the Planning Inspector reflected the views of the LCC Highways Officer and considered that the proposal for an entertainment venue, office and storage would not be detrimental to highway safety.

Other matters

33. Recent Planning permission on Farm Depot is already being contravened. Permission states that all vehicles stored, MUST be under cover. This is not happening. Will this Condition also apply?: It is noted that an application for the change of use of the buildings and yard on the Farm Depot area of Swifts House Farm from B2 use to B8 use was approved in February 2012 (ref.11/01104/COU). Condition 3 of this application restricts the storage of materials and equipment to inside the buildings only. No outside storage was in evidence at the time of an unannounced site visit in July 2016. This would not prevent the parking of cars within the yard area proposed as part of this planning application.
34. An attempt to circumvent the system through repeated applications: there is no limit on the number of applications that can be made in relation to a specific site. Each application must be determined on its merits with due regard to the development plan policies and national policy at that time.
35. The applicant would not comply with conditions: Any conditions that are attached to the grant of planning permission must be necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects. If planning conditions are breached then this would be subject to necessary enforcement action.

CONCLUSION

36. It is considered that the proposed development on this site would not be inappropriate in the context of this Green Belt location and the significance of a designated heritage asset would be maintained. The impact on the character of the area and neighbour amenity are acceptable as is the impact on highway safety. It is therefore considered that the proposal is acceptable and that planning permission should be granted subject to conditions.

RELEVANT 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.

RELEVANT HISTORY OF THE SITE

Ref: 11/00171/COU Decision: WDN Decision Date: 19 April 2011
Description: Change of use of barn to use for holding 12 licensed events per year with a temporary car park and the erection of a temporary marquee from May - Sept.

Ref: 13/00925/CLEUD Decision: REFPUD Decision Date: 7 January 2014
Description: Application for Certificate of Lawful Use in respect of Barn west of Swifts House Farm for offices, storage and entertainment venue.

Ref: 14/00540/COU Decision: REFFPP Decision Date: 18 November 2014
Description: Retrospective application for a change of use from Agricultural Barn to an Office, Storage and Entertainment Venue (Sui Generis)

Ref: 76/00157/FUL Decision: PERFPP Decision Date: 5 April 1976
Description: Beef house (for approx. 100 cattle)

Suggested Conditions

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

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

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

Title	Drawing Reference	Received date
Location plan and site plan		05 July 2016
Proposed floor plan	C2310	05 July 2016
Proposed elevations	C2310	05 July 2016

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

3. The parking and associated manoeuvring facilities shown on the plans hereby approved made available in accordance with the approved plan prior to the use of Swifts House Barn for corporate entertainment; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) (England) Order 2015).

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

4. No music of any type shall be played or reproduced in the building or on the site hereby permitted

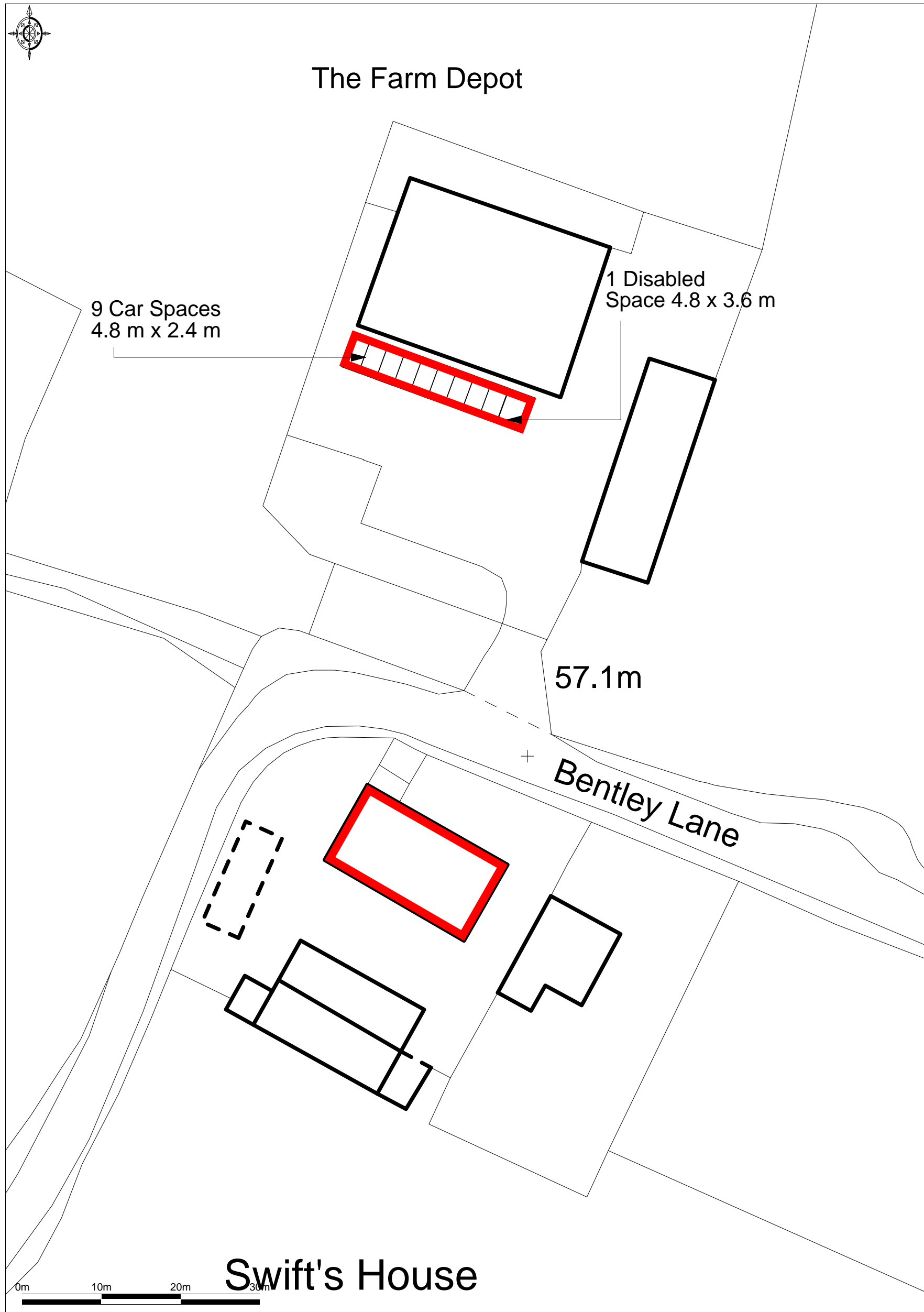
Reason: In the interests of the amenity of the area and nearby residential properties.

5. The corporate entertainment use hereby permitted shall only operate between the hours of 09.30am and 18.30pm Monday – Sunday.

Reason: In the interests of the amenity of the area and nearby residential properties.

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Site Plan - Swifts House Farm, Bentley Lane, Heskin



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APPLICATION REPORT – 16/00754/FUL

Validation Date: 15 August 2016

Ward: Chorley North East

Type of Application: Full Planning

Proposal: Erection of building containing 4no. 1 bedroom apartments with associated access and car-parking

Location: Inland Revenue Lingmell House Water Street Chorley PR7 1EJ

Case Officer: Mr Iain Crossland

Applicant: Mr Rik Faircloth

Agent: Mr Martin Richardson

Consultation expiry: 6 September 2016

Decision due by: 10 October 2016

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is part of the car park serving the former Inland Revenue office building. It is noted that the offices have been empty and unused for a number of years and that the office building has recently been granted approval under permitted development regulations for a change of use to 29 apartments. The site is located within the core settlement area of Chorley, close to the town centre, and is within the St Laurence's conservation area.
3. The site comprises the vacant Inland Revenue office building, which is of traditional design style and is three storeys in height. There are car parking areas to the front, side and rear of the existing office building and a landscaped embankment to the rear of the building and north west side of the site with semi mature trees. The immediate area is characterised by surface level car parks and residential properties of traditional design styles, along with a distinctive change in levels and embankment up to Park Road, which results in a rather unique character.
4. The topography of the site itself is fairly flat, however, there are level changes in all directions at varying degrees of proximity with the site lying at the lowest point.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The proposed development is for the erection a building comprising 4 no. flats with a car parking area and some small areas of landscaping. There is an existing vehicular access to the site from Water Street, which would be maintained.

6. The apartment building would be located in the northern corner of the site. It would measure approximately 15.6m by 5.7m, would be two storeys in height and would have a traditional appearance. There would be 38 off street car parking spaces across the site to serve both the proposed building and previously approved apartments.

CONSTRAINTS

Ancient Woodland Buffer

Coal consultation zone

Conservation Area

Chorley Core Area

Site of Special Scientific Interest

Wind turbine consultation zone

REPRESENTATIONS

One letter of objection has been received relating to flood risk

CONSULTATIONS

Conservation Officer: Considers the proposed development to be acceptable as it will preserve the appearance of the St Laurence's Conservation Area and the adjacent listed buildings: the Swan with two Necks, Chorcliffe House and St Laurence's Church, and thus also sustain the significance of these designated heritage assets. Accordingly, it is considered that the proposed development will be in conformity with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Waste & Contaminated Land: Comments that the applicant should ensure there is a designated area for the storage of waste and recycling bins that is suitably sized and positioned.

Lead Local Flood Authority: Has no objection to the proposed development subject to the attachment of appropriate conditions.

Lancashire Highway Services: No comments have been received.

United Utilities: United Utilities has no objection to the proposed development subject to the attachment of appropriate conditions.

Environment Agency: No objection

PLANNING CONSIDERATIONS

Principle of the Development

7. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
8. The application site is located in the core settlement area of Chorley. The Core Strategy Policy 1 is concerned with located growth and identifies Chorley Town as a Key Service Centre where growth and investment should be concentrated.
9. The application site is within the curtilage of a former office building. Core Strategy Policy 10 seeks to protect land and premises last used for employment use. It is noted that the site has been unused for a number of years and has been marketed for sale. No marketing information has been provided with this application, however, it is noted that the office building has recently been granted approval under General Permitted Development Order regulations for a change of use to residential accommodation and therefore the retention of the site for employment use cannot be controlled.

10. The site is not allocated for any specific use within the Chorley Local Plan 2012 - 2026 and the Local Plan states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.

Impact on the conservation area and heritage assets

11. The site is within the St Laurence's Conservation Area and close to a number of listed buildings including the Swan with Two Necks, Chorcliffe House (both grade II) and St Laurence's Church (grade II*).
12. Lingmell House is a traditionally styled modern office building, built in the latter part of the 20th Century for the Inland Revenue, but which has been vacant for a number of years. The proposed new building follows a similar style to this building, which is considered to be acceptable for this site and location subject to the use of appropriate materials.
13. It is considered that the proposed development is acceptable as it will preserve the appearance of the St Laurence's Conservation Area and the adjacent listed buildings at the Swan with two Necks, Chorcliffe House and St Laurence's Church, and thus also sustain the significance of these designated heritage assets.

Design and impact on the character of the area

14. The proposal is for the erection of a two storey building that would contain four one bedroom apartments. The proposed building would be of a traditional design style.
15. There are a range of property types in the locality, which are of traditional design. Of particular relevance is the existing former office building on the site, which is a traditionally styled modern office building, built in the latter part of the 20th Century. To the north east side of the site there is a row of red brick terraced houses of traditional appearance.
16. The proposed building would be located approximately 18m from the highway at Water Street, positioned to the rear of both the former office building and adjacent terrace. It would be screened to the north and west of the site by a large embankment up to Park Road. As such it would not be prominent in the street scene. The use of a traditional design would enable the proposed development to complement the adjacent buildings, and there would be a number of details that would provide features of interest. The proposed building would be of a much smaller scale to the office building and of a similar height to the adjacent terrace. As such the proposed development would not be out of keeping with the character and distinctiveness of the locality.
17. The proposed development would form part of a scheme to redevelop a disused site and would help to revitalise the locality, whilst contributing to a physical improvement in the appearance of the site, which is deteriorating. It is acknowledged that an active use needs to be established on the site to address this. The proposed development would therefore result in an overall improvement in the appearance of the site and would subsequently enhance the character of the area.

Impact on neighbour amenity

18. The application site is bounded by a steep embankment to the north and west, Water Street to the south east and a dwelling at 11 Water Street to the north east. The proposed building would be located approximately 9m from the nearest dwelling at 11 Water Street. The windows in the rear elevation at 11 Water Street would not face the proposed building, which would be visible at an angle. There are windows in the side elevation of a rear outrigger at 11 Water Street facing towards the application site. These would not directly face the proposed building, although it would be visible. Given the degree of separation and relative positioning of the proposed building and dwelling at 11 Water Street it is considered that there would be no adverse impact on outlook.
19. There would be no parallel facing windows between the properties, and there would not be any windows to habitable rooms in the proposed building overlooking the garden at 11 Water Street. The proposed building would be located to the north east of 11 Water Street

and would not therefore result in any adverse impact on light. As such there would be no loss of privacy or light as a result of the proposed development.

20. Other residential properties are located some distance from the site or are screened by other buildings. The relationship between the previously approved conversion and the proposed building would be acceptable as there would be no facing windows and an adequate degree of separation.

Impact on highways/access

21. The proposed development would result in four one bedroom dwellings in addition to the previously approved conversion of the office building resulting in a total 29 one bedroom dwellings and four two bedroom dwellings. Off street car parking has been identified on the proposed site plan for 38 vehicles across the site. This meets with the requirements of the adopted parking standards set out in relation to policy ST4 of the Chorley Local Plan 2012 – 2026.
22. In addition to this the application site is located within the core settlement area of Chorley, close to the town centre and within walking distance of a wide variety of amenity and services. There excellent pedestrian links across the area and the location is considered to be a highly sustainable one.
23. The site currently has an existing vehicular access from Water Street, which would be retained within the proposed development. The impact on highway safety would therefore be similar to the existing situation with vehicles carrying out similar manoeuvres.

Flood risk

24. The application site does not lie within flood zone 2 or 3, however, it is located in an area that is susceptible to surface water flooding.
25. The Environment Agency, Lead Local Flood Authority and United Utilities have been consulted, none of whom raises any objection to the proposed development, subject to the attachment of appropriate conditions requiring details of surface water drainage and management arrangements. It recommended conditions are attached to any grant of planning permission requiring surface water drainage and management details.

Public Open Space

26. In line with Local Plan policy HS4 a contribution towards the provision or improvement of public open space (POS) would be required to address local needs. There is no local evidence of need to outweigh national policy in regards to open space therefore a contribution is not required from this development.

CONCLUSION

27. The proposed development would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site and character of the area. In addition there is adequate parking given the sustainability of the location. On the basis of the above assessment it is recommended that planning permission be granted.

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

Suggested Conditions

No.	Condition
1.	<p>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>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: No details were supplied at with the application and are required to ensure that the materials used are visually appropriate to the locality.</i></p>
3.	<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 + allowance for climate change see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD; b) The drainage strategy should demonstrate that the surface water run-off must not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant); d) Flood water exceedance routes, both on and off site; e) A timetable for implementation, including phasing as applicable; f) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; g) Details of water quality controls, where applicable. <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><i>Reasons</i></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.
4.	<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><i>Reasons</i></p> <ol 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.
<p>5.</p>	<p>No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:</p> <ol style="list-style-type: none"> a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Residents' Management Company b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as: <ol style="list-style-type: none"> i. on-going inspections relating to performance and asset condition assessments ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime; c) Means of access for maintenance and easements where applicable. <p>The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.</p> <p><i>Reasons</i></p> <ol style="list-style-type: none"> 1. To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development 2. To reduce the flood risk to the development as a result of inadequate maintenance 3. To identify the responsible organisation/body/company/undertaker for the sustainable drainage system.
<p>6.</p>	<p>Foul and surface water shall be drained on separate systems.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p>
<p>7.</p>	<p>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents}</i></p>
<p>8.</p>	<p>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p>

	<i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i>												
9.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</i></p>												
10.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>16-034 Loc-01</td> <td>12 August 2016</td> </tr> <tr> <td>Proposed site plan</td> <td>16-034 L-001</td> <td>12 August 2016</td> </tr> <tr> <td>Proposed floor plans and elevations</td> <td>16-034 P-003</td> <td>12 August 2016</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	Location plan	16-034 Loc-01	12 August 2016	Proposed site plan	16-034 L-001	12 August 2016	Proposed floor plans and elevations	16-034 P-003	12 August 2016
Title	Drawing Reference	Received date											
Location plan	16-034 Loc-01	12 August 2016											
Proposed site plan	16-034 L-001	12 August 2016											
Proposed floor plans and elevations	16-034 P-003	12 August 2016											
11.	<p>Prior to the occupation of the development hereby approved details for a designated area for the storage of waste and recycling bins shall be submitted to an agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>												

RELEVANT HISTORY OF THE SITE

Ref: 03/00071/FUL Decision: PERFPF Decision Date: 26 March 2003
Description: Erection of detached garage,

Ref: 05/00434/CON Decision: PERCAC Decision Date: 29 July 2005
Description: Application for Conservation Area Consent for the demolition of existing building,

Ref: 12/00325/FUL Decision: WDN Decision Date: 13 June 2012
Description: Change of use of existing office accommodation (ground and first floor) to Chorley Academy free school (Use Class D1)

Ref: 16/00678/P3PAJ Decision: AAPR Decision Date: 28 September 2016
Description: Prior approval application under Part 3, Class O of The Town and Country (General Permitted Development) Order 2015 to change existing office building (Class

B1(a)) into 29 no apartments (25no 1 bedroom and 4no 2 bedroom) (Class C3) with existing access and parking facilities to be retained

**Ref: 5/1/02314 Decision: PERFPP Decision Date: 30 October 1964
Description: Use of parish institute for temporary accomodation for chorley day training college, Park Road, Chorley**

**Ref: 5/1/03713 Decision: PERFPP Decision Date: 5 May 1974
Description: Outline application for eight storey block of offices anmd car parking facilities and demolition of existing institute**

**Ref: 87/00943/FUL Decision: PERFPP Decision Date: 2 February 1988
Description: Erection of three storey office building with car park**

**Ref: 79/00829/FUL Decision: REFFPP Decision Date: 12 November 1979
Description: Change of use to Discoteque and Restaurant**

**Ref: 79/01391/FUL Decision: PERFPP Decision Date: 19 May 1980
Description: Change of Use to Private Members Club and Restaurant with Extension for Two Squash Courts**

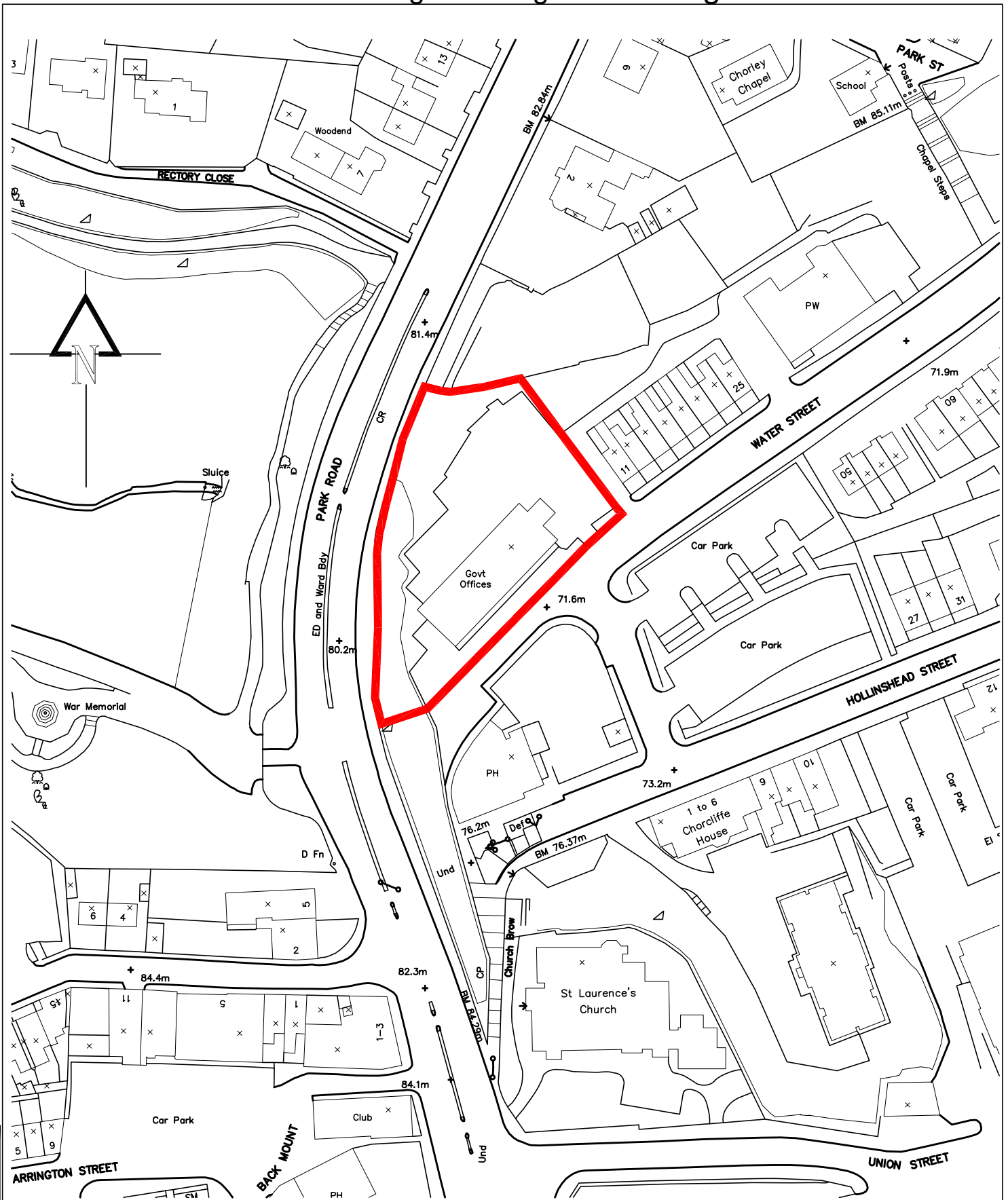
**Ref: 77/00588/FUL Decision: REFFPP Decision Date: 3 July 1978
Description: Change of use of Parish Institute to Offices and office extension**

**Ref: 77/00587/FUL Decision: PERFPP Decision Date: 3 July 1978
Description: Change of use of Parish Institute to Offices**

**Ref: 76/00804/COU Decision: WDN Decision Date: 12 November 1976
Description: Change of use to plumbers merchants warehouse/offices and showroom**

**Ref: 74/00775/FUL Decision: WDN Decision Date: 31 December 1974
Description: Office development**

**Ref: 74/00010/FUL Decision: WDN Decision Date: 27 June 1974
Description: 8 storey office block**



Client:
HOLLINWOOD HOMES

Project:
LINGMELL HOUSE, WATER ST. CHORLEY

Drawing Title:
SITE LOCATION PLAN



associates limited

architecture | building surveying | urban design

burnaby villa ■ 48 watling street road ■ fulwood ■ preston ■ pr2 8bp
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Drawn: SCK	Checked:	Scale: 1:1250	Date: 20-7-16
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Job No: 16-034	Drawing No: LOC-01	Rev:	
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Agenda Item 3e**APPLICATION REPORT – 16/00247/FULMAJ**

Validation Date: 24 March 2016

Ward: Pennine

Type of Application: Major Full Planning

Proposal: Proposed residential development of 34 dwellings with associated landscaping and infrastructure.

Location: Land 150M West Leatherlands Farm Moss Lane Whittle-Le-Woods

Case Officer: Caron Taylor

Authorising Officer: P.A.Whittingham

Applicant: Morris Homes (North) Limited

Agent: Morris Homes (North) Limited

Consultation expiry: 6 September 2016

Decision due by: 23 September 2016

RECOMMENDATION

The application is recommended for approval subject to conditions and a Section 106 agreement securing affordable housing and a public open space financial contribution and that the affordable housing being acceptable. This will be updated on the addendum.

SITE DESCRIPTION

The site has a total site area of 1.38 ha (3.42 acres) and is located approximately 200 metres east of the junction of Moss Lane (B6229) and Preston Road (A6), to the north and south of the Moss Lane cul-de-sac which was created when the M61 motorway was built and the main Moss Lane was slightly diverted and extended over it. It is made up of two sections:

- Parcel A comprises a triangular-shaped area to the north of the Moss Lane cul-de-sac which has an area of 1.12 ha (2.77 acres); and
- Parcel B is an elongated rectangular-shaped area to the south of the Moss Lane cul-de-sac which has an area of 0.26 ha (0.65 acres).

Parcel A is located immediately to the east of a Redrow residential development which was built in the 1990s and a Wainhomes development built more recently. This part of the application site is up to two or three metres lower than the Redrow/Wainhomes development and is separated from it by a small ditch and adjacent public footpath with a relatively steep bank beyond leading up to close boarded fences of the adjacent gardens. The footpath links into the Redrow development at the north-west corner of the site.

Outline permission was granted on the site for up to 32 dwellings in February 2015 (14/00900/OUTMAJ). This application is a full application (rather than a reserved matters application) as it is for 34 dwellings, more than covered in the previous outline permission.

It should be noted that the Council is also considering an application that has been submitted on the other part of the allocated site ref: 16/00509/FULMAJ which is for 45 dwellings.

DESCRIPTION OF PROPOSED DEVELOPMENT

Proposed residential development of 34 dwellings with associated landscaping and infrastructure.

RELEVANT HISTORY OF THE SITE

Ref: 14/00900/OUTMAJ Decision: Permitted Decision Date: 17 February 2015

Description: Outline application for residential development on north and south side of Moss Lane cul-de-sac for up to 32 dwellings, specifying the access point

REPRESENTATIONS

Whittle-le-Woods Parish Council are aware of the proposed future enhancements to the signposting of the Moss Lane / Preston Road junction, but still feel that this development would increase the volume of traffic on Moss Lane and add to the difficulties at this junction.

Three objections have been received which are summarised below

Objections

Total No. received: 3

- Traffic congestion between the M61 J8 and the Sea View junction continues to get worse as more and more developments are built. Whilst the junction upgrades may have worked initially to cope with Buckshaw Village and other developments, the sheer number of these developments means that traffic now appears to have exceeded the capacity of these improvements. Has the impact on surrounding infrastructure been fully considered for residential development in question? Its location will only exacerbate the above problems including queuing at the end of Moss Lane;
- Are there any improvement works proposed for the immediate local roads as part of the development? What is the proposed access for the development? The recent adjacent Springside Gardens development has an extremely questionable access onto Moss Lane as it is located on a blind corner with very poor visibility.
- Are we to expect a similar unsafe access for this development? As with all recent developments in the area, comments and objections will most likely prove futile and it is fully expected that the development will proceed as planned. They would therefore simply ask that all impacts be fully taken into consideration, particularly those relating to safety and congestion;
- They own No 7 Springside Gardens and the side of their property is on the western edge of the proposed development site. They have no objection to the application, in principle but are keen to ensure that any development will not reduce the privacy and/or security of the eastern side of their property. That boundary is adjacent to the stream and there are also a number of trees and bushes between the stream and my boundary wall and fence which both provide privacy and added security for my property. They do not want any of the proposed works to in any way reduce that privacy and security;
- They note that it is proposed to fill in the existing land drain and replace it with a perforated drainage pipe. How will this impact the ditch which currently runs along the boundary fence?. Vegetation clearance is also proposed along the boundary fence. The ditch drain and vegetation acts as a barrier between the field and their property, preventing anyone being able to climb over the fence. Once the development is built and the 3m public cycleway is in place, this protection will completely disappear which will increase the security risk to their property by leaving it vulnerable to trespassing via the cycleway;
- Their property will be overlooked by plots 9 to 15 as well as anyone using the public cycleway. Are there any plans to plant new trees and/or hedges closer to the boundary to mitigate against this increased security risk and visual intrusion?;
- What will be the impact of works on the large protected oak tree covered by Tree Preservation Order 12 (Whittle-le-Woods). On the outline application master plan, the

development avoided the root protection area (RPA) associated with the tree entirely. However, on the latest plans, the proposed 3m wide tarmac cycleway construction runs directly through the tree's RPA;

CONSULTATIONS

Consultee	Summary of Comments received														
Lead Local Flood Authority	The Lead Local Flood Authority has no objection to the proposed development subject to the inclusion of conditions.														
Council's Ecology Advisor	The recommendations of the ecology report should be secured by condition should permission be granted.														
Lancashire County Council (LCC) Highways	Have no objection to the proposed development subject to conditions and advice notes.														
Environmental Health	See body of report.														
Planning Policy on Public Open Space	<p>The following financial contribution required from this development:</p> <table> <tr> <td>Amenity greenspace</td> <td>= £5,320</td> </tr> <tr> <td>Equipped play area</td> <td>= £5,092</td> </tr> <tr> <td>Parks/Gardens</td> <td>= £0</td> </tr> <tr> <td>Natural/semi-natural</td> <td>= £0</td> </tr> <tr> <td>Allotments</td> <td>= £570</td> </tr> <tr> <td>Playing Pitches</td> <td>= £60,762</td> </tr> <tr> <td>Total</td> <td>= £71,744</td> </tr> </table>	Amenity greenspace	= £5,320	Equipped play area	= £5,092	Parks/Gardens	= £0	Natural/semi-natural	= £0	Allotments	= £570	Playing Pitches	= £60,762	Total	= £71,744
Amenity greenspace	= £5,320														
Equipped play area	= £5,092														
Parks/Gardens	= £0														
Natural/semi-natural	= £0														
Allotments	= £570														
Playing Pitches	= £60,762														
Total	= £71,744														
LCC Education	<p>The latest information available at this time was based upon the 2015 annual pupil census and resulting projections.</p> <p>Based upon the latest assessment, taking into account all approved applications, LCC will be seeking a contribution for 11 primary and 5 secondary school places, which would result in a claim of:</p> <p>Primary places: 11 places = £134,303.40</p> <p>Secondary places: 5 places = £91,986.40</p> <p>A specific infrastructure project where the secured education contribution will be spent to deliver additional school places will be provided at the point at which the application is considered for decision. The local planning authority will need to notify the School Planning Team that a school infrastructure project needs to be determined.</p>														
Council's Contaminated Land Officer	Request a condition is applied to any approval.														
Strategic Housing	The requirement for 11 affordable dwellings as detailed on the Affordable Housing Statement meets the planning policy requirement in terms of numbers. Due to the LHA Cap for social housing announced in the November 2015 budget, in particular the shared accommodation rate, has reduced the expected demand for one bedroom flats. Chorley has a healthy supply of one bedroom flats for rent (Social and Affordable) in the pipeline as these were planned before the last budgets changes. The preferred tenure and														

	<p>type of affordable homes for this site is as follows: 8 x 2 bedroom 4 person houses for Social Rent 3 x 3 bedroom 6 person houses for Intermediate Home Ownership The intermediate home ownership would be Shared Ownership or a product with a similar discount to a Registered Provider. All affordable dwellings should meet the Nationally Described Space Standards. The Social Rent should take into account the social housing rent cuts when being offered to a Registered Provider.</p>
<p>Police Designing Out Crime Officer</p>	<p>Have conducted a crime and incident search of this policing incident location and during the period 05/04/2015 to 05/04/2016 there have been recorded crimes and incidents including burglary. In particular a burglary has occurred whereby the offenders have taken the keys to the owner’s vehicle and stolen the vehicle and other items of property. In order to reduce the opportunity for criminal activity at the proposed development and to provide a safe and sustainable environment suggest a number of recommendations.</p>

PLANNING CONSIDERATIONS

Principle of the Development

The site is part of a larger allocated housing site in the Chorley Local Plan 2012-2026 under Policy HS1.43C for 76 dwellings, and outline permission for housing was granted on the site in 2015 for up to 32 dwellings (14/00900/OUTMAJ). Housing development on the site is therefore acceptable in principle.

In terms of phasing, Policy HS2 of this plan sets out a phasing schedule and the whole of the wider Moss Lane allocation is scheduled for the second phase, 2016 – 2021 (60 dwellings) and the third phase 2021-2026 (16 dwellings). This application covers 34 dwellings on part of the site and is a full application with a separate application made by Wainhomes on the rest of the allocation currently under consideration. If approved it is likely the majority of the site, if not all, would come forward in the second phase 2016-2021. Therefore under Policy HS2 although 16 dwellings are envisaged in the third phase 2021-2026 it is considered the proposal broadly complies with the phasing in Policy HS2.

Design and Layout

The layout of the scheme is split into two parts, the affordable housing which is made up of ten mews properties, all of which would be two-storeys in height would be sited to the south of the Moss Lane cul-de-sac, and the larger detached and semi-detached properties would be located to the north of Moss Lane cul-de-sac. This splitting of the layout is considered acceptable as it is considered the smaller house types work better together in design terms.

The design of the affordable properties (Chatsworth and Budworth house types) will share the same detailing as the other house types including artstone cills and heads to windows and a projecting brick verge detail with corbel. Although smaller properties their detailing and materials will ensure that the affordable properties are viewed as being part of the wider site. The houses on plots 25-27 will be positioned on the corner towards the main Moss Lane to provide a focal point at the entrance to the site as it is approached from the west. The other affordable properties at plots 28-34 will front onto Moss Lane cul-de-sac. The parking for these properties will be provided in small parking courts to the front and sides. It is considered that the design and layout of the affordable properties is acceptable.

The properties to the north of the site are all accessed via a new cul-de-sac off the Moss Lane cul-de-sac, apart from plots 1 – 5 which will be via an access road parallel with Moss Lane. These plots will be particularly prominent from the main Moss Lane but will have front elevations facing towards the road and are set back to give an open feel to the front of the development which is considered acceptable. Within the site the house types on corners are dual aspect to avoid blank elevations in prominent positions and boundary treatments have been selected so that prominent side gardens would have screen walls rather than fences enclosing them or

fences with a hedge in front, which will be more visually attractive in the streetscene. Parking for all the detached and semi-detached properties will be on private driveways and in detached and integral garages on each plot. Part for the affordable properties will be in three small parking courts. The proposed properties would have gable roofs and most would have front gables with a range of detailing including arched windows, porches, canopies and bay windows. The layout and design of these properties is considered acceptable and appropriate to the existing surrounding development.

Density

Policy 5 of the adopted Core Strategy covers housing density and requires developments to be in keeping with an area but also make an efficient use of land. The proposal would be equivalent of 24.6 dwellings per hectare. Considering the proposed layout in the context of the immediate surrounding area it is considered that the proposal would be in keeping in terms of density with the modern housing estates to the north and west of the site and the proposal is therefore considered acceptable in this respect.

Levels

The application site is up to two or three metres lower than the adjacent housing development and is separated from it by a small ditch and adjacent public footpath with a relatively steep bank beyond leading up to close boarded fences of the adjacent gardens. There is an approximate gradual difference in levels of approximately 2m across the site. From the southern boundary of the site there is banking approximately 8m high from the site up to the main Moss Lane but this is outside the application site. The application would include raising the levels of the land by up to 3m to aid drainage of the site. This would result in the properties proposed on the west side of the application site having finished floor levels similar to these on the adjacent existing development, with finished floor levels being lower as the land falls to the east. Originally it was proposed to pipe the existing ditch along the west boundary but this was not considered acceptable in terms of ecology. Amended plans have been received retaining the ditch and the levels remain the same along the boundary before rising up to a development platform for the properties. This is considered acceptable.

Impact on the neighbours

There are existing residential properties along the northwest boundary of the site and Leatherlands Farm is to the east. The northeast of the site bounds with an open field that forms the rest of the allocated housing site.

Amended plans have been received changing the house type on plot 1 so there are no habitable room windows in the west elevation looking towards no. 7 Springside Gardens. The only window in this elevation serves an en-suite bathroom at first floor. The house on plot 8 will face towards the existing properties on Springside Gardens but there will be over 10m between the first floor windows and the boundary with this property. Plots 9 and 14 would be side onto the properties on Springside Gardens and would only have non-habitable windows at first floor in their side elevations which is considered acceptable..

The proposed properties along the west boundary of the site with Springside Gardens therefore comply with the council's guidelines in relation to neighbouring properties.

Affordable Housing

Policy 7 of the adopted Core Strategy requires affordable housing to be provided on sites of 15 or more dwellings or 0.5 hectares in size (which this is) at a level of 30%.

The applicant has submitted amended plans in relation to the types and tenures of affordable housing proposed and the wider layout. Originally the application proposed some one bedroom flats but this has now been amended so the affordable units are two storey houses. The Council's Strategic Housing Officer has however raised a concern over the size of the properties and whether Registered Providers will take the properties on. Further discussion is on-going regarding this and will be updated on the committee addendum. Subject to this being acceptable the proposal is considered acceptable in relation to Policy 7 subject to the affordable housing being secured via a S106 agreement.

Noise from the Motorway and Air Quality

The closest part of the application site is approximately 110m from the M61 Motorway. A noise assessment has been submitted with the application which has been reviewed by the Council's Environmental Health Officer. They state that with regard to the noise, it is clear that the site will be impacted by the traffic using the M61 throughout the day and night time. The noise levels measured demonstrate that the figures recommended by World Health Organisation and associated planning guidance and British Standards may not be achieved. The mitigation results in sound pressure levels in garden areas ranging from below 50dB in the gardens fully shielded from the motorway to 60dB in the worst affected garden, i.e. 35, with the majority of gardens falling below 58dB. Only two garden areas are above 58dB which accounts for 5% of the entire development.

They go on to state, according to BS8233:2014, *"It is desirable that the external noise level does not exceed 50dB LAeq,T, with an upper guideline value of 55dB LAeq,T which would be acceptable in noisier environments. However, it is also recognised that these guideline values are not achievable in all circumstances where development might be desirable. In higher noise areas, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors might be warranted. In such a situation, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited"*. With regard to internal noise, standard thermal glazing for habitable rooms is not sufficient to achieve the criterion noise levels. The report recommends specific glazing standards and trickle ventilation in associated with mechanical or passive ventilation systems, as the opening of windows will mean that internal noise levels exceed recommended levels.

The Planning Practice Guidance (PPG) on noise states that local planning authorities in decision taking should identify whether the overall effect of noise exposure would be above the 'significant adverse effect level' or not. This is reiterated by the Noise Policy Statement for England. Noise above this 'significant adverse effect level' should be avoided, noise below this may need to be mitigated and reduced to a minimum.

In relation to noise there are no European or national noise limits which have to be met. The National Planning Policy Framework states that planning decisions should aim to:

- avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development;
- mitigate and reduce to a minimum other adverse impacts on health and quality of life arising from noise from new development, including through the use of conditions;

No guidance is given on what a significant impact is. There is a British Standard (BS8233:2014 Guidance on Sound Insulation and Noise Reduction for Buildings) that states: It is desirable that external noise level does not exceed 50 decibels with an upper guidelines of 55 decibels in noisier environment. It goes onto say that:

It is also recognised that these guidelines values are not achievable in all circumstances where development might be desirable. In higher noise area, such as city centres or urban areas adjoining the strategic transport network, a compromise between elevated noise levels and other factors might be warranted. In such situations, development should be designed to achieve the lowest practicable levels in these external amenity spaces, but should not be prohibited.

In this case the site is adjacent to the strategic transport network in the form of the M61 and is therefore in a higher noise area. Therefore it is considered that the test for noise in this case is that the development should be designed to achieve the lowest practicable noise levels.

The noise levels measured demonstrate that the figures recommended by the World Health Organisation and associated planning guidance and British Standards may not be achieved. The mitigation results in sound pressure levels in garden areas ranging from below 50dB in the gardens fully shielded from the motorway to 60dB in the worst affected garden, with the majority of gardens falling below 58dB. Only two garden areas are above 58dB.

Environmental Health have concerns that the noise profile of the site is such that the potential noise experienced by residents from the traffic on the nearby motorway will be in excess of World Health Organisation recommendations, but the developer has provided an acoustic report with mitigation measures which if properly implemented will go some way to protect residents, therefore, these must be executed in accordance with the report recommendations..

The site is adjacent to the strategic transport network, i.e. the motorway and development is desirable as the site is allocated for housing in the Local Plan. It is considered that with the mitigation measures proposed the development has been designed to achieve the lowest practicable levels in external amenity spaces and these can be controlled by a condition.

With regard to internal noise, standard thermal glazing for habitable rooms is not sufficient to achieve the criterion noise levels. The report recommends specific glazing standards and trickle ventilation in associated with mechanical or passive ventilation systems, as the opening of windows will mean that internal noise levels exceed recommended levels. These can also be secured via a condition. The Planning Practice Guidance on noise states that significant adverse effects should only be avoided when there is no alternative ventilation so windows have to be kept closed. Alternative ventilation is proposed in this case so the proposal is considered in line with the PPG.

As has already been noted, the site is part of a wider housing allocation, the rest of the site being nearer to the motorway than this part of the site. It is therefore likely that when the rest of the site (in separate ownership) is developed, noise mitigation measures will be implemented against the motorway that will further benefit this site or the properties themselves will provide some further mitigation. The Council cannot guarantee that this site will developed in the future but it is considered the proposal is acceptable even if the adjacent site to the east is not developed.

In terms of air quality, an air quality assessment has also been undertaken and Environmental Health advise that there is no evidence that the development will be impacted by the proximity of the transport links.

Ecology and Landscape

An ecological survey and assessment accompanies the application which has been reviewed by the Council's ecological advisor. They advise that the survey found the site to support two agriculturally improved fields with associated boundary hedgerows and a ditch. The report makes a number of recommendations for the site and they advise these measures are controlled by conditions. These include:

- Protection of trees and scrub to be retained;
- Protection of the ditch;
- Design of lighting during construction and operation of the development;
- Biodiversity Enhancement measures for the site;
- Vegetation clearance timings;
- Landscape planting

Conditions controlling these are proposed and the scheme is considered acceptable in relation to ecology subject to these.

There a number of trees on the perimeters of the site. One of these, an Oak on the northwest boundary adjacent to Olive Close is protected by Tree Preservation Order 12 (Whittle-le-Woods) 1992. Other trees to the south of the Moss Lane cul-de-sac are protected by Tree Preservation Order 10 (Whittle-le-Woods) 2014. These are to be retained as part of the proposal. The ditch is no longer proposed to be filled in and piped but rather will be retained and so the levels will be retained as existing adjacent to it.

There is currently a hedgerow running along both sides of Moss Lane. On the north side, as per the previous outline permission it is considered necessary to introduce a new footway along the frontage of the development for pedestrians so it is not possible to retain all the existing hedgerows on the site frontage in situ. Amended plans have been received showing a new footway introduced in front of plots 1-5, retaining the existing hedge. A new hedge will be

planted in adjacent to plots 15 and 24. On the south side the existing hedgerow will be retained where possible and a new hedge planted in other places.

The retention and replanting of the hedgerows is considered necessary to retain the character of the area as much as possible and is welcomed.

The proposal is considered acceptable in relation to landscaping subject to final details of landscaping of the site being secured by a condition.

Flood risk and Drainage

The site is not within Flood Zone 2 or 3 as identified by the Environment Agency, but it is over 1 hectare in size (1.34ha) and the necessary Flood Risk Assessment has been submitted. This has been reviewed by the Lead Local Flood Authority. They have not objected to the proposed development subject to the inclusion of the conditions requiring details of management and maintenance of the scheme to be submitted and restricting permitted development rights to change areas of permeable surfacing to non-permeable materials.

Highways and Parking

The previous outline application (14/00900/OUTMAJ) was for 32 dwellings. This current application is seeking full approval for 34 dwellings.

The application site north of Moss Lane will contain 24 dwellings. The application site south of Moss Lane will be developed with 10 dwellings, with three separate direct accesses to the highway serving parking courts. Amended plans have been received as advised by LCC Highways showing a footway across the entire frontage of the site to link up with the exiting footway on Moss Lane. This is considered essential to avoid pedestrians walking in the road or having to cross over the road to use the footway on the opposite side of the road and then cross back again to access the existing footway on Moss Lane.

It was agreed as part of the previously approved outline permission the applicant for that permission was to fund a Traffic Regulation Order for the extension of the existing 30mph speed limit restriction past the junction towards east and this was secured via a S106 legal agreement, with the actual works being done through a Traffic Regulation Order. The council are currently also considering an application that has been submitted on the other part of the allocated site ref: 16/00509/FULMAJ for 45 dwellings submitted by a different developer which would also need an extension of the existing 30mph speed limit restriction past the junction towards east. The funding could be difficult to source through a S106 legal agreement in relation to which developer would pay it, or whether both should share the cost, but then there could be an issue if one of the developments was not implemented. Discussions have taken place with the Highways Engineer at Lancashire County Council who has confirmed that the funding of a Traffic Regulation Order can be done under Section 278 of the Highways Act, which would take place outside the planning process. This does not therefore need to be secured through a S16 agreement.

The highway layout of the development is similar to that shown on the illustrative plan provided with the previous outline permission. A 2.0m wide footway would be provided on both sides of the road and links to the existing Public Right of Way (PROW). Originally the Public Right of Way that runs along the northwest boundary of the site was to be upgraded to pedestrian/cycle link, however as it leaves the site it meets a footpath rather than a joint footpath/cycleway so it is not considered reasonable to upgrade the footpath in the site to a joint cycleway that does not continue through to the north. The Public Right of Way will therefore be surfaced as a footpath.

Amended plans have been received altering the plans so that the proposed properties now comply with the council's parking standards under policy ST4 of the Local Plan. Garages that are counted as one of the parking spaces will be conditioned that they are not converted unless the property benefits from three off-road parking spaces.

The proposal is therefore considered in relation to parking and highways subject to conditions.

Public Footpath number 47 runs along the northwest boundary and cuts across the west corner of the site. The footpath is to be retained on the proposed plan though its route looks to differ slightly from the definitive route where it joins Moss Lane. The applicant has been made aware that any diversion would need to be done via a separate application for a footpath diversion under the Town and Country Planning Act.

Contamination and Coal Mines

The site is in a low risk area as identified by the Coal Authority. This requires an informative note to be applied to any permission.

The council's Contaminated Land Officer requests a condition be imposed on any permission and this is proposed.

Community Infrastructure Levy (CIL)

The scheme will be liable for the Community Infrastructure Levy (CIL), though an exemption from CIL can be applied for in relation to affordable housing units.

Lancashire County Council (LCC) as Education Authority have requested a contribution of eleven primary school places (£134,303.40) and five secondary places (£91,986.40). The request for a contribution from LCC Education is noted, however this is an allocated site and education requests such as this are included in the CIL levy.

Open Space

There is justification for a financial contribution of £71,744 towards public open space in relation to emerging Local Plan Policies HS4A and HS4B and the approach in the Open Space and Playing Pitch Supplementary Planning Document. This will need to be secured by a Section 106 agreement and subject to this the proposal is considered acceptable in relation to Policies HS4A and HS4B.

CONCLUSION

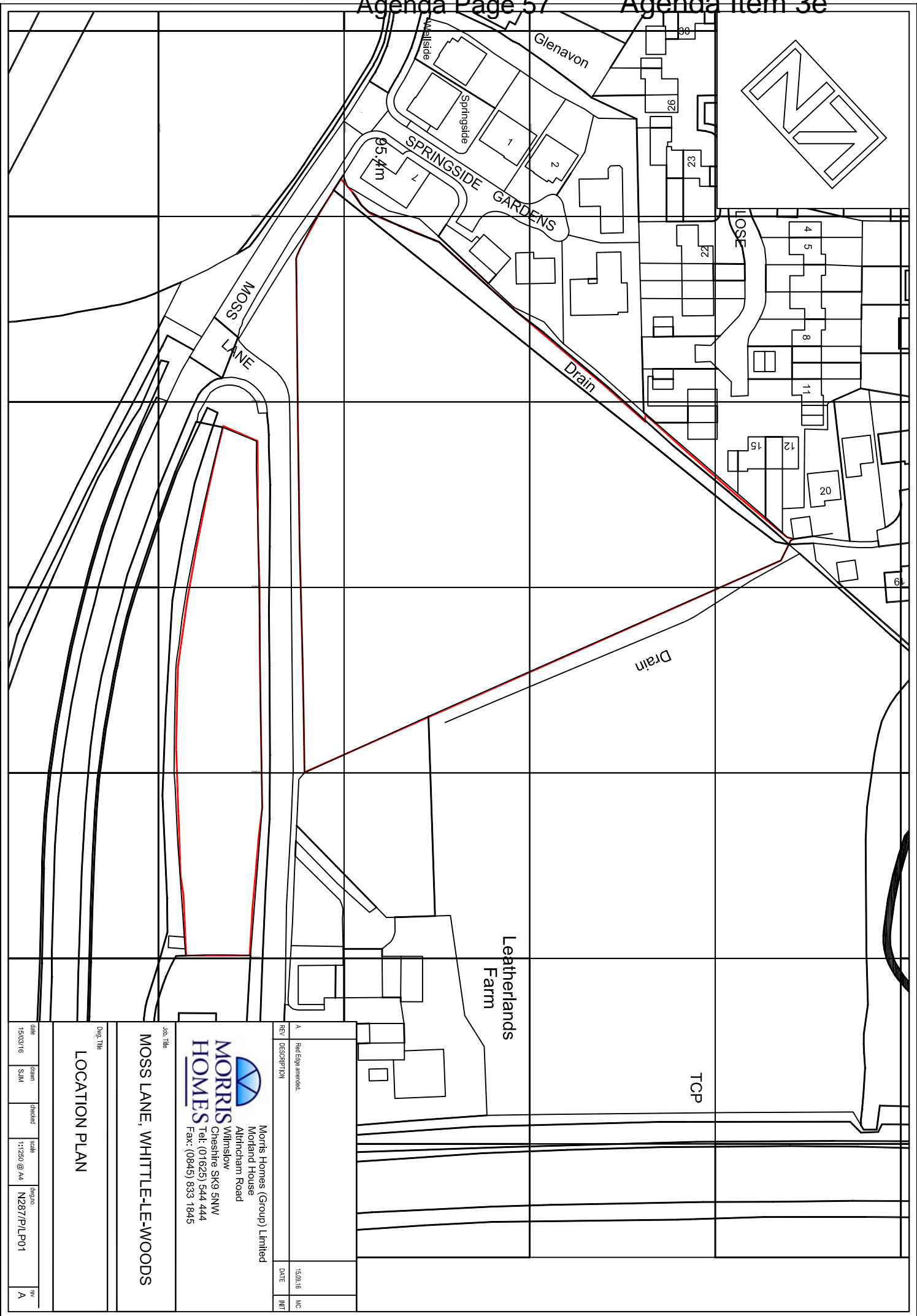
The application is recommended for approval subject to conditions and a Section 106 agreement securing affordable housing and a public open space financial contribution and that the affordable housing being acceptable. This will be updated on the addendum.

RELEVANT 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

To follow on addendum.

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TCP

Leatherlands Farm

95.4m

MOSS LANE

SPRINGSIDE GARDENS

LOOSE

Drain

Drain

REV	DESCRIPTION	DATE	BY
A	Field Edge amended.	15.08.16	MJC

Morris Homes (Group) Limited
 Morland House
 Aittrincham Road
 Wilmslow
MORRIS HOMES
 Chesire SK9 5NW
 Tel: (01625) 544 444
 Fax: (0845) 833 1845

Job Title
MOSS LANE, WHITTLE-LE-WOODS

Drawn Title
LOCATION PLAN

date	drawn	checked	scale	drawing	rev
15/03/16	SJM		1:1250 @ A4	N287/PL/P01	A

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APPLICATION REPORT – 16/00660/FUL

Validation Date: 29 July 2016

Ward: Chorley South West

Type of Application: Full Planning

Proposal: The proposal includes the reconfiguration of the circulation, access and egress to the car park, the resurfacing of the extended car park area with a combination of traditional tarmac and permeable surfacing construction methods and the installation of a new footpath connection.

Location: Visitors Centre Yarrow Valley Country Park Birkacre Road Chorley PR7 3RN

Case Officer: Andrew Williams

Applicant: Simon Forster, Chorley Council

Consultation expiry: 5 September 2016

Decision due by: 23 September 2016

RECOMMENDATION

Permit Full Planning Permission

SITE DESCRIPTION

This application is being reported to committee as it is an application made by the council.

The application site forms part of 21 hectares of ancient woodlands following the banks of The Yarrow which is positioned amongst a Biological Heritage Site bordering the settlement boundary of Chorley.

The main car parking area is accessed from Birkacre Brow and is positioned on relatively level ground with a subtle slope from 25.75m to the eastern aspect to 24.82 to the west. The River Yarrow runs parallel to the western boundary of the site with Big Lodge Reservoir and small fishing ponds lying the east and south-east of the car park.

The un-marked car park has a capacity of 90 spaces and is configured around existing shrubbery and tree coverage (no Tree Preservation Orders) which has been engineered with a stone chipping surface.

DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development seeks to enlarge the existing car park to create a total of 128 spaces including 7 disabled spaces and associated landscaping improvements. The car park proposed is to be surfaced with a combination of tarmacadam (to the circulation routes) and a porous gravel filled plastic confinement system (to the car parking spaces). The car park running lanes will be constructed from impermeable bituminous material with surface water drainage through the permeable parking bays.

A total of 25 trees are to be removed (21 grade 'C' and 4 grade 'U' – using the British Standard Tree Classification) with 21 additional native trees replanted around the boundaries of the car park to mitigate the loss.

RELEVANT HISTORY OF THE SITE

Ref: 13/00072/FUL Decision: PERFPP Decision Date: 24 April 2013
Description: Change of use from Visitors Centre (sui generis) to a mixed use of Visitors Centre (sui generis) and A3 cafe, erection of a canopy to front entrance (4m x 2.5m) and additional flagged area to south and west elevations with drainage to perimeter to be connected to existing surface water system

Ref: 00/00838/CB3 Decision: PERRG3 Decision Date: 13 December 2000
Description: Regulation 3 application for the construction of new visitor centre,

Ref: 94/00889/CB3 Decision: PERRG3 Decision Date: 13 March 1995
Description: Reclamation of derelict settlement tanks for nature conservation purposes,

Ref: 96/00697/CB3 Decision: PERRG3 Decision Date: 5 March 1997
Description: Regulation 3 Application for the construction of Visitor Centre and provision of disabled parking spaces,

Ref: 5/1/03186 Decision: PERFPP Decision Date: 23 May 1969
Description: Residential development site.

REPRESENTATIONS

No representations received during the course of the consultation period.

CONSULTATIONS

Lancashire Highway Services – No objection subject to the attachment of a condition.
Greater Manchester Ecology Unit – No objection subject to the attachment of conditions.
Lancashire County Council Public Rights Of Way – No response received.
Environment Agency – No objection subject to the attachment of an informative.
Lead Local Flood Authority – No response received.
Lancashire County Council Archaeology Service – No objection.
Parish Council – No response received.
Trees – No objection.

PLANNING CONSIDERATIONS

It is considered that the main issues in the determination of this application are:

- Principle of development:
 - o Harm to the openness of the Green Belt;
 - Safeguarding the countryside from encroachment.
 - o Impact upon Biological Heritage Site and Valley Park.
- Siting, scale and design;
- Highways implications;
- Flooding; and
- Archaeology.

Principle of Development

Harm to the openness of the Green Belt

At a national level the NPPF (2012) attaches great importance to the fundamental aim of preserving the openness and permanence of the Green Belt. In this regard, para.90 of the NPPF confirms that other forms of development i.e. engineering operations are not inappropriate

provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt

As indicated in para.80 of the NPPF the five purposes of the Green Belt include:

- 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.

For the purposes of this application the extension of the car park is considered to be an engineering operation thereby representing appropriate development in the Green Belt subject to the developments compliance with the main purposes of including land within it.

In line with para.80 the proposal would have no impact upon the unrestricted sprawl of built up areas, cause the amalgamation of neighbouring towns, have an impact upon the special character of historic towns or assist in urban regeneration. However, the impact of development upon encroachment into the countryside requires further consideration.

Safeguarding the countryside from encroachment

The application site is located within a heavily wooded area where it has been confirmed by the applicant that there will be no further encroachment into undeveloped land on the peripheries of the car park, merely the removal and reconfiguration of internal landscape features to facilitate the proposed increase in car park provision. To this end it is considered that whilst there being an increase in car parking provision the development assists in safeguarding the countryside from encroachment and negates the need for further enlargement in future in accordance with paras.80 and 90 of the NPPF.

Impact upon Biological Heritage Site and Valley Park

Policy HW3 of the Chorley Local Plan 2012 – 2026 states that proposals to enhance the recreational value of the Valley Parks at Yarrow Valley, Cuerden and Chapel Brook will be permitted if it can be demonstrated that they would not detract from the amenity, recreational and wildlife value of the Valley Parks'

Policy BNE10 of the Chorley Local Plan 2012 – 2026 indicates that planning permission will not be granted for development which would have an adverse effect on a protected species unless the benefits of the development outweigh the need to maintain the population of the species in situ.

In the determination of this application the Greater Manchester Ecology Unit (GMEU). The Council's ecology advisor has confirmed that the site lies adjacent to a Biological Heritage Site (BHS) and therefore to prevent accidental damage to the BHS the applicant is requested to submit a Construction Environmental Management Plan by way of condition. This is considered reasonably necessary for the purposes of protecting the historic designation.

In respect to roosting bats the GMEU has confirmed that the trees to be removed are unlikely to support roosting bats however nesting birds may be present and therefore the GMEU recommend the attachment of a condition for the protection of nesting birds between 1st March and 31st July. Additionally, a condition requesting that all tree and scrub species used to compensate the loss of the trees shall be native species of local provenance unless otherwise first agreed in writing with the local planning authority.

There is no objection to the removal of the trees which are considered to be of low significance.

It is therefore considered that subject to appropriately worded conditions the proposal would comply with policies HW3 and BNE10 of the Chorley Local Plan.

Siting, scale and design

Policy BNE1 of the adopted Chorley Local Plan 2012 – 2026 considers that planning permission should be granted for proposals which do not have a significantly detrimental impact on the surrounding area by virtue of its density, layout, height, scale, massing, design, orientation and use of materials.

The proposal seeks to utilise a mixture of durable materials which are unlikely to have any significant detrimental impact upon the aesthetics of the area. Whilst it is acknowledged that the existing stone chippings assimilate with the rural characteristics of the area, the concealment of the site from public vantage points in addition to the incorporation of supplementary landscaping and the selection of different surface materials help to break up the expanse of hardstanding and filter views from the surrounding area.

In line with policy BNE1 of the Chorley Local Plan the proposed development is considered to be appropriately designed to not cause any considerable adverse impact upon the character and appearance of the Park or that of the adjoining area.

Highways Implications

Policy BNE1 of the Chorley Local Plan 2012-2026 reiterates that development will only be permitted where the *'residual cumulative highways impact of the development is not severe and would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces below the standards stated with the Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.'*

In the determination of this application Lancashire Highways have raised no objection to the proposed development which is considered to improve car parking provision in line with the Appendix D - Parking Standards. Notwithstanding this, it has been requested that a condition be attached to any grant of approval for the submission of a construction management plan to help maintain the operation of local streets and through routes in the area during the construction phase.

It is also advised that given a Public Right of Way (44) passes through the site planning permission does not entitle a developer to obstruct the public right of way with any proposed stopping up or diversion subject to an Order under the associated Act. An informative note will be placed on any permission to this effect.

It is therefore considered that the proposed development complies with policy BNE1 of the Chorley Local Plan (2012-2026).

Flooding

Further to review it has been established that the application site is located within Flood Zone 2 and 3 and therefore the Environment Agency has been consulted to ascertain the likely impact of development upon the River Yarrow and the overall risk of flooding.

In this regard the Environment Agency makes no objection to the proposed development subject to the following comments being taken into consideration:

'The River Yarrow watercourse adjoining the site is designated a Main River and is therefore subject to Byelaws. In particular, no trees or shrubs may be planted, fences, buildings, pipelines or any other structure erected within 8 metres of the top of the bank of the watercourses without a prior written Environmental Permit of this Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.'

To this end it is considered that the proposed development complies with the stipulations of Section 10 of the NPPF.

Archaeology

Para.135 of the NPPF states that *'The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'*

Policy BNE8 of the Chorley Local Plan 2012 – 2026 indicates 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.'*

During the determination of this application the Lancashire Archaeological Advisory Service was consulted given the sites historic association with as an iron forge and slitting mill which dated back to 1727 and has since been demolished.

In this regard the Advisory Service has identified that whilst it is possible some of the historic remains could be disturbed by the development, given the depth of the disturbance it is unlikely that this would cause any significant damage. In any event, it is considered that if remains are encountered, it is probable that these would be from a later rather than earlier structure and thus are of limited significance.

It is considered that the proposed development is unlikely to have any impact upon the significance of the undesignated heritage asset and is therefore compliant with policy BNE8 of the Local Plan and para.135 of the NPPF.

Community Infrastructure Levy

Not applicable to this application.

CONCLUSION

The proposed development does not represent inappropriate development in the Green Belt and through appropriate design is considered to preserve the character and appearance of the designation and its wildlife potential in accordance with the development plan and wider guidance contained within the NPPF.

RELEVANT 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

- 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) The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref:	Received On:
Location Plan	YVCP_001	18 th July 2016
Parking Layout	WL_925_007	18 th July 2016

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

- 3) Prior to construction, a construction plan shall be submitted to and approved in writing by the Local planning Authority. The plan to include method and details of construction including vehicle routing to the site, construction traffic parking and any proposed temporary closing of roads or streets. No construction traffic or deliveries to enter/exit during traffic peak periods or to wait on the public highway. Such construction plan to be implemented and adhered to during the construction of the development.

Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods.

- 4) No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.
- a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard the impact of development upon protected species.

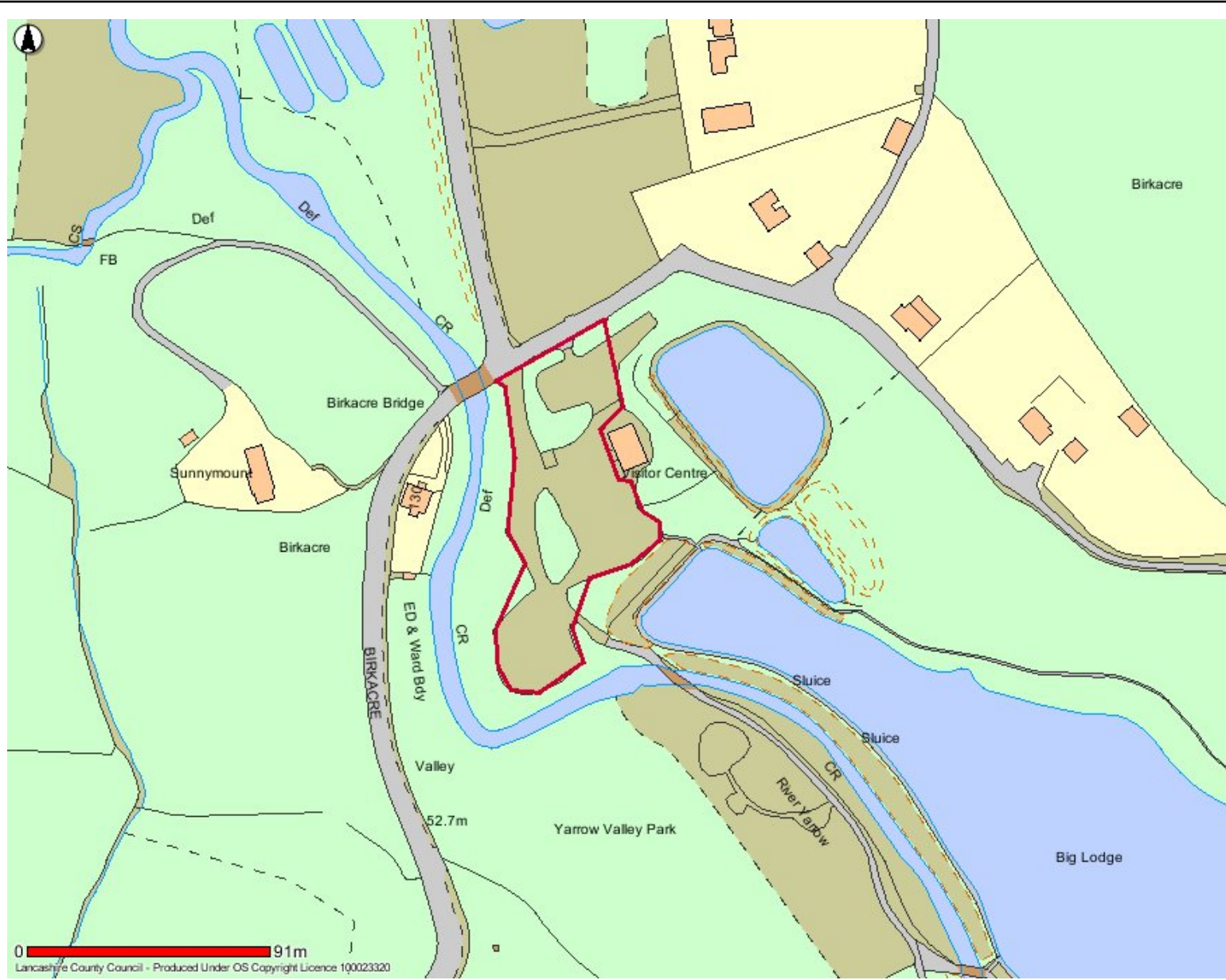
- 5) No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.
- Reason: To safeguard the impact of development upon protected species.*
- 6) Prior to the completion of the proposed works hereby approved full details (including species, number, stature and location) of the replacement tree planting shall be submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling. All tree and scrub species used in the planting proposals shall be locally native species of local provenance unless otherwise agreed in writing with the local planning authority.
- Reason: To safeguard the visual amenity of the area.*

Informatives

- 1) The applicant is advised that a Public Right of Way (PROW) (Footpath 44) passes through the site and that the grant of planning permission does not entitle a developer to obstruct a public right of way. Any proposed stopping-up or diversion of a right of way should be the subject of an Order under the appropriate Act.
- 2) The River Yarrow watercourse adjoining the site is designated a Main River and is therefore subject to Byelaws. In particular, no trees or shrubs may be planted, fences, buildings, pipelines or any other structure erected within 8 metres of the top of the bank

of the watercourses without a prior written Environmental Permit of this Agency. Full details of such works, together with details of any proposed new surface water outfalls, which should be constructed entirely within the bank profile, must be submitted to the Environment Agency for consideration.

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- Districts**
- Other District/Unitary Authority
 - Lancashire Districts

YVCP_001 Yarrow Valley Car Park Site Location



Date: 15/07/2016

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