

PLANNING COMMITTEE

TUESDAY, 8TH SEPTEMBER 2020, 6.30 PM

LANCASTRIAN, TOWN HALL, CHORLEY AND VIA MICROSOFT TEAMS

AGENDA

APOLOGIES

- 1 **MINUTES OF MEETING TUESDAY, 11 AUGUST 2020 OF PLANNING 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 seven items for planning applications to be determined (enclosed).

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.

<https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

- A **19/00339/FULMAJ - 2 OAK DRIVE, CHORLEY, PR6 7BY (TO FOLLOW)**

- B **20/00516/FUL - AMELIE'S RESTAURANT, 311 PRESTON ROAD, COPPULL, CHORLEY, PR7 5DU**

(Pages 7 - 18)

- C **20/00695/FUL - THE EAGLE HOTEL, 122 BOLTON STREET, CHORLEY, PR7 3DX**

(Pages 19 - 24)

- D **20/00675/CB3 - WHITTLE-LE-WOODS AND CLAYTON-LE-WOODS PARISH CLUB, 239 PRESTON ROAD, CLAYTON-LE-WOODS, CHORLEY**

(Pages 25 - 30)

E	20/00725/CB3MAJ - WHITTLE-LE-WOODS AND CLAYTON-LE-WOODS PARISH CLUB, 239 PRESTON ROAD, CLAYTON-LE-WOODS, CHORLEY	(Pages 31 - 40)
F	20/00164/FUL - LAND ADJOINING CUERDEN RESIDENTIAL PARK, NELL LANE, CUERDEN (TO FOLLOW)	
G	20/00688/PIP - ST LUKES CHURCH, QUARRY ROAD, BRINSCALL, CHORLEY, PR6 8RB	(Pages 41 - 46)
4	DRAFT DECISION IN RESPONSE TO BT CONSULTATION ON PAYPHONE REMOVAL	(Pages 47 - 52)
5	PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 3 JULY 2020 AND 28 AUGUST 2020	(Pages 53 - 54)
6	ANY URGENT BUSINESS PREVIOUSLY AGREED WITH THE CHAIR	

GARY HALL
CHIEF EXECUTIVE

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneux (Chair), Councillor Christopher France (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, John Dalton, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alex Hilton, Alistair Morwood, Neville Whitham and Alan Whittaker.

Electronic agendas sent to Planning 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****PLANNING COMMITTEE****MEETING DATE****Tuesday, 11 August 2020****MEMBERS PRESENT:**

Councillor June Molyneaux (Chair) and Councillors Aaron Beaver, Martin Boardman, Gordon France, Danny Gee, Tom Gray, Yvonne Hargreaves, Alex Hilton, Alistair Morwood, Neville Whitham and Alan Whittaker

RESERVES:

Councillors Julia Berry and Val Counce

OFFICERS:

Adele Hayes (Service Lead - Planning), Iain Crossland (Principal Planning Officer), Alex Jackson (Legal Services Team Leader) and Nina Neisser (Democratic and Member Services Officer)

APOLOGIES:

Councillors Christopher France and John Dalton

OTHER MEMBERS:

Councillors Adrian Lowe

20.P.54 Minutes of meeting Tuesday, 14 July 2020 of Planning Committee

Decision – That the minutes of the hybrid Planning Committee meeting held on 14 July 2020 be approved as a correct record for signature by the Chair.

20.P.55 Declarations of Any Interests

Councillors Val Counce and Martin Boardman declared an interest in item 3) e.

20.P.56 Planning applications to be determined

The Director of Customer and Digital submitted five items for consideration. In considering the applications, Members of the Planning Committee took into account the agenda reports, the addendum and the verbal representations and submissions provided by officers and individuals.

a 19/01113/OUTMAJ - Land to the West Side of Blackburn Road

Registered speakers: Councillor Adrian Lowe (Ward Councillor) and Fran Lennon (Agent).

After careful consideration, it was proposed by Councillor Gordon France that the decision be refused on the grounds that the proposed increase of 45 dwellings would result in a severe residual cumulative highways impact such that it would prejudice highway safety and the free flow of traffic contrary to Policy BNE1 of the Chorley

Local Plan 2012 – 2026. The motion was seconded by Councillor Danny Gee. A vote was taken, and the motion was lost (5:8:0)

It was proposed by Councillor Alex Hilton, seconded by Councillor Martin Boardman, and a decision was subsequently taken (7:5:1) that the application be approved subject to conditions set out in the report and a Section 106 agreement requiring an education contribution of £846,480.60.

b **20/00282/FULMAJ - International Fire Training Centre, Washington Hall, West Way, Euxton, Chorley, PR7 6HJ**

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Alex Hilton and a decision was subsequently taken (unanimously) that the application be approved, subject to conditions outlined in the report and a Section 106 agreement requiring that previously unimplemented elements of extant planning permissions at the site are not built in combination with this scheme and to secure a £12,000 contribution be paid to Lancashire County Council for monitoring the Travel Plan for the site.

c **20/00116/FUL - Land Between 386 and 392 Blackburn Road, Higher Wheelton**

Registered speaker: Daniel Gilbert (speaking on behalf of the applicant).

Councillor Neville Whitham dropped out of the call due to a technical issue and did not vote on this item.

After careful consideration, it was proposed by Councillor Alistair Morwood, seconded by Councillor Martin Boardman and a decision was subsequently taken (11:1:0) that the application be approved subject to conditions set out in the addendum.

Councillor Neville Whitham returned to the call.

d **20/00449/FULMAJ - Golden Acres Ltd, Plocks Farm, Liverpool Road, Bretherton**

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Alistair Morwood and a decision was subsequently taken (unanimously) that the application be approved subject to conditions set out in the report as amended in the addendum.

e **20/00601/FULHH - Roselands, Tincklers Lane, Eccleston, Chorley, PR7 5QX**

Councillors Val Counce and Martin Boardman left the for this item and did not partake in the vote.

After careful consideration, it was proposed by Councillor Alex Hilton, seconded by Councillor Alistair Morwood and a decision was subsequently taken (unanimously) that the application be approved subject to conditions outlined in the report.

Councillors Val Counce and Martin Boardman returned to the call.

20.P.57 Any urgent business previously agreed with the Chair

Members and officers discussed the recent government announcement on the 'Planning for the Future' White Paper which would introduce changes to planning policy. There was a public consultation open for 12 weeks running until 29 October 2020.

It was agreed (unanimously) that a technical briefing take place for Members on the specifics of the White Paper before the Planning Committee formulate a response. It was agreed that it was the wish of Planning Committee to have some input into the Council's response in addition to any contribution from the rest of the Council.

Chair

Date

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APPLICATION REPORT – 20/00516/FUL

Validation Date: 12 June 2020

Ward: Chisnall

Type of Application: Full Planning

Proposal: Erection of 7no. (Use Class C3) dwellinghouses with access, parking, landscaping and associated works following demolition of existing buildings

Location: Amelie's Restaurant 311 Preston Road Coppull Chorley PR7 5DU

Case Officer: Mr Iain Crossland

Applicant: F4 Developments Ltd

Agent: Mr Marc Izaguerri Serrano, SMITH YOUNG

Consultation expiry: 3 July 2020

Decision due by: 11 September 2020 (Extension of time requested)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt south of Coppull and comprises a part two storey and part single storey building fronting onto Preston Road (A49) in a site positioned between Preston and Rivington Place. The building was formerly occupied by Amelie's Restaurant and has in the past operated as a public house.
3. Aside from a small amount of soft landscaping around the periphery of the site and save for the buildings, the majority of the site comprises hard surfacing used for staff parking, vehicular parking and the unloading/loading of goods used in connection with the restaurant operations.
4. Vehicular access into the site is from the north west corner of the site, from and onto the A49. Although the eastern boundary touches the highway at Rivington Place (to the east), there is currently no vehicular access to the site from this highway.
5. The application site forms part of a linear development that spans off the A49, the main highway that connects Standish to the south and Coppull to the north. To the north of the application site are residential properties at Belmont Place. This is a short cul-de-sac, accommodating 8no. semi detached and 2no. detached properties. To the east of the application site, is Rivington Place, which is another cul-de-sac of 12no. dwellings. To the south of the application site are 321 and 323 Preston Road, which are semi detached residential properties that also front onto the A49.
6. With regard to the wider area, there is some mix of uses with a school, public house and commercial units to the north, although it is predominantly a residential area with open agricultural land beyond.

7. In terms of the history of the site it is significant to note that there was previously a greater amount of development on site comprising a terrace of dwellings that was cleared in the late 1970s / early 1980s.

DESCRIPTION OF PROPOSED DEVELOPMENT

8. This application seeks full planning permission for the erection of 7no. dwellinghouses with access, parking, landscaping and associated works following the demolition of the existing buildings on the site. The dwellings would be set in a linear pattern across three blocks fronting the A49 with rear gardens and parking areas accessed from Rivington Place. The dwellings themselves would be of a modern design and would be two storeys with accommodation in the roof space.

REPRESENTATIONS

9. Representation have been received from the occupiers of 7no. addresses citing the following grounds of objection:
- Access should not be taken via Rivington Place due to impact on amenity of existing residents.
 - Impact on highway safety due to use of Rivington Place for access.
 - Claims made in the highway technical note are misleading.
 - The appearance of the dwellings would not be in keeping with the character of the area.
 - Impact on amenity through loss of privacy due to overlooking.
 - There is a dispute over land ownership with opposing claims over land adjacent to 16 Rivington Place.
 - The land registry title restricts and prevent access being taken from Rivington Place.
 - Vegetation was removed prior to the application for planning permission and prior to resolving any ownership disputes.
 - Breach of wildlife regulations in removing vegetation during the nesting season.
 - There would be restrictions placed on construction times and vehicle routing.
 - Concerns about the conduct of the developer.

CONSULTATIONS

10. Greater Manchester Ecology Unit: Have no objection subject to conditions.
11. Waste & Contaminated Land: Have no objection subject to a condition.
12. Lancashire County Council Highway Services: Have no objections in principle.
13. United Utilities: Have no objection subject to conditions.
14. Coppull Parish Council: Have no objections to this application.

PLANNING CONSIDERATIONS

Principle of development in the Green Belt

15. The application site is located in the Green Belt at Coppull and forms part of a tract of development extending south from the settlement area.
16. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework (the Framework) which states:

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

134. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*

- b) *to prevent neighbouring towns merging into one another;*
- c) *to assist in safeguarding the countryside from encroachment;*
- d) *to preserve the setting and special character of historic towns; and*
- e) *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

143. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

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

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

- a) *buildings for agriculture and forestry;*
- b) *the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) *the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) *the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) *limited infilling in villages;*
- f) *limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) *limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

17. This part of Coppull is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:

"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."

18. Policy BNE5 of Chorley Local Plan 2012 – 2016 relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:
The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:

In the case of re-use

- h) *The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
- i) *The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*

In the case of infill:

- c) *The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

In the case of redevelopment:

d) The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.

19. The proposal involves redevelopment of a site that is occupied by a restaurant and associated areas of parking and hardstanding. As such the site is previously development land and the development is, therefore, capable of complying with paragraph 145 g) of the Framework. This sets out that one exception to inappropriate development in the Green Belt is limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
20. Whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of 'openness'. It is acknowledged that the site already contains some built form with the presence of the restaurant building and that the site is located within an established tract of development extending to the south of Coppull with residential development to the north, south and east of the site, and the A49 located to the west. The proposed development would replace the existing building on the site with three blocks of development comprising 7no. dwellings filling the site and the line of development between 321 Preston Road to the south and 2 Belmont Place to the north. The development would, therefore, be viewed in the context of the existing buildings that surround the site, and would replace an existing building in this position.
21. The site is prominent when viewed from the A49 as it forms part of the streetscene along this section of the highway. It is also prominent when viewed from the cul-de-sac at Rivington Place. There is an existing building in situ and development would be expected in this position as part of the line of development along the A49 in this location. The proposed development would be positioned on the footprint of the existing building, although it would extend either side (north and south) of the present building footprint. This would result in a logical infilling of the site, which is appropriate when considered in the context of a comprehensive plan for the site as a whole as required by policy BNE5 of Chorley Local Plan 2012 – 2016. Furthermore, it is noted that a terrace of dwellings was present on the site between the main restaurant building and 321 Preston Road to the south until they were cleared in the late 1970s early 1980s. The proposed development would reflect the form and positioning of the buildings that were removed.
22. The proposed development has been designed to reflect the linear form of development along the A49, the form and position of the existing building and previous buildings. The scale, siting and form of development proposed is based on the traditional terraced dwellings that are located along the A49 in this area and on the buildings that occupied the site previously, similar to 321 and 323 Preston Road to the south. As such the proposed development would occupy the space between existing development in a position occupied by existing and previous development that results in a comprehensive redevelopment of the site. The visual impact on openness would be limited by the positioning of the buildings within the site between buildings and close to other buildings of similar scale. Furthermore, the site already contains a quantum of development that would be replaced.
23. In pulling these points together in considering the impact of the development, the Framework and Chorley Local Plan policy requires the decision maker to consider and make an assessment of whether the openness of the Green Belt would be impacted or harmed by the proposal to a greater extent than openness has already been impacted as set out in policy BNE5 c) of the Chorley Local Plan 2012 - 2026. This is an open-textured assessment and there is no check list to be gone through but, where openness of the Green Belt is in issue, visual impact, as well as spatial impact, requires consideration, subject to a margin of appreciation.
24. The proposed development is contained within an already well developed site and street frontage and would not result in any encroachment, or sprawl and would not lead to the merging of built up area. As such there would be no harm to any of the purposes of including

land in the Green Belt over and above the impact on openness that has already occurred from the presence of the existing development and would result in limited infilling that has no greater impact than the existing development. The proposed development would not, therefore, comprise development that would be considered inappropriate in the Green Belt.

25. In relation to the scale of development in an 'other area' as identified by policy 1(f) of the Central Lancashire Core Strategy the proposed development is not major development and, therefore, falls to be considered small scale. As such it is considered that the proposed development is compliant with policy 1(f) of the Central Lancashire Core Strategy.

Impact on character and appearance of locality

26. The application site is located with a frontage along the A49 and as such is highly prominent along this part of the highway. It is also visible to the rear from Rivington Place, although has little interaction with the street frontage on this highway. The site is currently occupied by a restaurant building of traditional design style faced in painted render, but was previously occupied by a row of terraced dwellings until the late 1970s early 1980s.
27. The proposed development includes three building blocks comprising 7no. dwellings. These would be of a form and scale that reflects existing terraced properties on the A49 in this location and would be sited on the footprint of the existing building and in the position of the previous buildings fronting Preston Road. This would result in an appropriate form of development for the site in this location providing an active street frontage and visual interest. The dwellings would have a contemporary appearance through the use of larger window openings and through the reinterpretation of traditional design features such as chimney stacks, eaves banding detail and window proportions of vertical emphasis. These features have been considered in the context of traditional design features common to the locality. Although it is noted that dormers would be included to the rear roof slopes, these would be positioned in a less prominent part of the development and are small scale, well designed, features.
28. There would be small garden spaces to the front of the proposed dwellings resulting in some defensible space and enclosed gardens to the rear. Parking would also be located to the rear away from the main highway, which enables a better interaction between the development and the streetscene along the A49, which is the main visual receptor. Although the parking area and rear of the properties would be visible from Rivington Place the site does not currently contribute positively to the streetscene along Rivington Place, which is a cul-de-sac.
29. Overall, it is considered that the proposed development would result in a harmonious addition to the streetscene along this part of the A49, would be an appropriate design response to the site and character of the locality and overall would contribute positively to the character of the area. This complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Neighbour amenity

30. Policy BNE1 of the Chorley Local Plan 2012-2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
31. The proposed dwelling at plot 1 would be positioned to the south of no.2 Belmont Place. Plot 1 would have a black gable end facing this property. The proposed dwelling would be positioned approximately 3m from the rear garden boundary to this dwelling and approximately 13m from the dwelling itself. The gable would be slightly offset in relation to the windows to the rear of 2 Belmont Place, which is a bungalow and although there would be some impact on direct light levels to the rear garden, and to a lesser extent to the dwelling, it is considered that the impact is within acceptable levels, as is the impact on outlook, given that the positioning complies with the Council's adopted interface guidelines.
32. The windows in the rear elevation of plot 1 and other plots, including the dormer windows, are positioned perpendicular to existing properties along Belmont Place, with the exception

of no.10. As such there are no direct views into these dwellings, and any views over rear garden areas are either via an obscure angle or at a distance that meets with the Council's interface guideline of 10m for habitable room windows facing rear gardens. The distance between plot 1 and the rear garden at 10 Belmont Place, which it directly faces is approximately 15m, which complies with the standard and is considered to be acceptable.

33. The proposed dwellings would have rear elevations facing the front of existing dwellings at 12, 14 and 16 Rivington Place. The facing windows would be positioned approximately 29m away, which is well in excess of the Council's adopted interface guideline of 21m for parallel facing windows. As such the impacts on outlook, privacy and light are considered to be within acceptable levels.
34. The proposed dwelling at plot 7 would be positioned approximately 4m to the north of the existing dwelling at 321 Preston Road and would have parallel facing gable ends, which would result in an appropriate relationship. On this basis the proposed dwellings meet with the Council's adopted interface standards and would have no adverse impact on amenity in this regard.
35. Policy BNE1 of the Chorley Local Plan 2012-2026 states that new development must not cause an unacceptable degree of noise disturbance to surrounding land uses.
36. It is noted that Rivington Place is a residential cul-de-sac of 12 addresses, and as such vehicle movements are currently low. It is proposed that vehicular access to the parking areas located to the rear of the proposed development would take place via the existing highway at Rivington Place. Rivington Place would remain a cul-de-sac with no through route, and given that the development and associated parking would serve only 7 dwellings the amount of traffic passing along the road would be limited and their associated speeds would be low. As such it is considered that the level of noise and disturbance would be limited and not harmful to amenity.
37. It is, however, noted that heavier vehicles such as construction traffic would result in disturbance and access difficulties for existing residents of Rivington Place within any construction phase of development. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a construction method statement setting out the construction and delivery times, vehicle routing and site access through the construction phases and that access should as far as possible be taken from the A49.

Highway safety

38. The proposed development would result in 7no. dwellings comprising three bedrooms in each. Each property would have two allocated parking spaces located either directly to the rear in the case of plots 6 and 7 or in a courtyard parking area at the rear of the site. This complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.
39. Vehicular access would be taken from Rivington Place at the head of the cul-de-sac. It is recognised that Rivington Place is a cul-de-sac with a small turning head and narrow carriageway width. There is a concern, from a highway perspective, that large vehicles cannot turn in the turning head and any on street parking on Rivington Place would hinder these movements. This provides further justification in relation to the need for a construction method statement. LCC highways have requested that the applicant proves the turning for a twin axle 11.2m long refuse wagon by swept path analysis. This possibility has been explored by the applicant, however, there is not the available space to make such provision without compromising the scheme to such an extent that it becomes unacceptable in other ways, such as a lack of amenity space of car parking.
40. Refuse vehicles currently reverse up Rivington Place to access the end properties and would continue to do so with or without the proposed development in place, and at exactly the same frequency. The only difference being that the refuse vehicles would leave Rivington Place having emptied more bins than they otherwise would have done without the development in place. Furthermore, the proposed development need not necessarily rely on

waste collections taking place from Rivington Place as bins from the proposed dwellings could equally be emptied from the A49. The suggestion to implement an increased size turning head as part of the development is not, therefore, required to make the development acceptable in planning terms.

41. LCC highways have also requested that a pedestrian link be provided through the development site aiding the ease of pedestrian access to the A49 and the amenities to the north. Although this would provide a benefit in terms of accessibility, it would conflict with secured by design principles creating an enclosed area with the potential to attract anti-social behaviour. Furthermore, there would be implications in relation to the maintenance of such a pedestrian route. In addition to this the number of properties for which such an access would provide utility would be low. Consequently, the benefits of a pedestrian access are not significant enough to require its inclusion to make the development acceptable.
42. It is noted that LCC Highways, as technical advisors to the Local Planning Authority (LPA) on highway matters, does not have any objections in principle. It is, therefore, considered that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Ecology

43. The application is accompanied by an ecology assessment of the site, including a bat survey to examine the potential of the building to support roosting bats, and to look for bats or signs of bats roosting in the property, which was undertaken in May 2020. This has been reviewed by the Council's ecology advisors (Greater Manchester Ecology Unit).
44. The building and the shed/store were assessed as having negligible potential to support roosting bats, and no evidence of roosting bats was found during the internal and external inspections. No trees on the site were found to support features which could be used by roosting bats.
45. The trees and buildings could however be used by breeding birds, and the nests of all wild birds are protected under the Wildlife and Countryside Act, 1981 (as amended).
46. No other protected species were recorded on the site or were thought likely to be present.
47. Some small stands of cotoneaster were found within the site, which are listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended) making it an offence to plant or cause the spread of these species in the wild.
48. GMEU consider that issues relating to bats, nesting birds, invasive species and landscaping can be resolved via condition and or appropriate informative.
49. Building demolition and vegetation clearance works should be undertaken outside the main bird nesting season (March – August inclusive) unless it can otherwise be demonstrated that not active bird nests are present.
50. A method statement for the removal of cotoneaster and prevention of its spread, should be followed during the site clearance, and carried out prior to the main development commencing.
51. A precautionary informative is used to make the applicant aware of the laws, which are in place to protect biodiversity, such as bats. Should they find or suspect any such species on the site during the development, work should cease and the LPA should be contacted for further advice.
52. Biodiversity enhancements for the site should be sought in line with national planning guidelines. Measures within the ecology report (para 5.3) should be incorporated into the scheme and include use of native or wildlife friendly species perennials and trees within the landscaping scheme and provision of bird boxes within the new buildings or attached to the retained trees.

53. It is noted that vegetation was removed from the site prior to the application being made. This is regrettable, however, the trees that were removed were not protected by preservation order and the removal of vegetation is not development and can, therefore, be carried out without the prior consent of the LPA. Although nesting birds may have been present it is not possible to pursue legal proceedings in breach of the respective law without evidence having been obtained.

Flood risk and drainage

54. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
55. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
56. It is recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme for the site that has been designed in consideration and in accordance with the surface water drainage hierarchy outlined above.

Sustainability

57. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

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

Public open space (POS)

59. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
60. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
61. Specifically the guidance as of last year was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications
62. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
63. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
64. There is currently a surplus of provision in Chisnall in relation to this standard, a contribution towards new provision in the ward is, therefore, not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

Community Infrastructure Levy

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

Other matters

66. Claims made in the highway technical note are misleading: The highway technical note has been reviewed and verified by LCC Highways as technical advisor to the LPA.
67. There is a dispute over land ownership with opposing claims over land adjacent to 16 Rivington Place: Both the applicant and residents have provided land registry title plans that differ in relation to ownership boundaries. The title plan details provided by the applicant demonstrate that the proposed site area reflects their understanding and position with regards to ownership. The Council's legal officer has examined the land registry documents provided by both parties and considers that there is adequate evidence to indicate that the proposed plans reflect the boundaries to the site identified as being within the ownership of the applicant. Although it would appear that there is a difference of opinion and evidence with regards to ownership boundaries this is essentially a civil matter to be resolved outside the planning process and the application can proceed to determination.

68. The land registry title restricts and prevent access being taken from Rivington Place: The Council's legal officer has examined the land registry documents and confirms that the title register provided by residents does seem to suggest that access to the proposed dwellings would not be possible along Rivington Place in respect of a restrictive covenant. However, this would not be a reason in itself to prevent the grant of planning permission. It may prevent the implementation of a planning permission but not the grant. This is essentially a civil matter to be resolved outside the planning process and the application can proceed to determination.
69. Concerns about the conduct of the developer: This is not a material planning consideration. It is recommended that a condition requiring a construction method statement is attached the grant of planning permission, which would enable some control of the method of construction activities on the site. Aside from this all building regulations, environmental health regulations and other relevant statutory regulations would apply.

CONCLUSION

70. The proposed development would not represent inappropriate development in the Green Belt. The proposal would not harm to the character of the area or the amenity of neighbouring occupiers and there would be no unacceptable impact on highway safety or ecology. The proposed development is, therefore, considered to be acceptable and as such is recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 96/00272/FUL **Decision:** PERFPP **Decision Date:** 16 July 1996
Description: Entrance gate, retrospective application for boundary wall and amendments to previously approved application 9/94/486 to provide wheelchair access and store

Ref: 94/00486/FUL **Decision:** PERFPP **Decision Date:** 30 August 1994
Description: Single storey side extension to existing restaurant

Ref: 91/01008/FUL **Decision:** PERFPP **Decision Date:** 19 November 1991
Description: Two-storey rear extension

Ref: 91/00917/FUL **Decision:** PERFPP **Decision Date:** 19 November 1991
Description: Two-storey rear extension

Ref: 84/00028/ADV **Decision:** PERFPP **Decision Date:** 11 June 1984
Description: Display of 3 illuminated board signs on walls and illuminated lantern over front door

Ref: 82/00553/FUL **Decision:** PERFPP **Decision Date:** 26 October 1982
Description: Extension to Car Park

Ref: 81/00191/OUT **Decision:** PEROPP **Decision Date:** 27 April 1981
Description: Outline application for house and garage

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

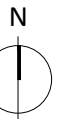
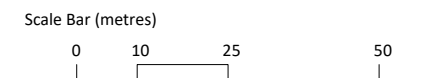
To follow.



All dimensions to be checked on site.
 Figured dimensions to be read in preference to scaled.
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Revisions / Notes:

- KEY**
- Site Boundary
 - Existing Building / Structure
 - Proposed Development



Job Title:	COPPULL		
Purpose:	PLANNING		
Client:	F4 DEVELOPMENTS		
Date:	28/05/2020		
Drawing Title:	LOCATION PLAN AS EXISTING		
Drawn By:	MJY	Checked By:	MJY
Scale:	1:1250	Paper Size:	A3
Job Number:	20.010	Drwg No:	SK(--)-001
		Rev:	

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APPLICATION REPORT – 20/00695/FUL

Validation Date: 13 July 2020

Ward: Chorley South East

Type of Application: Full Planning

Proposal: Conversion of public house to 5no. self contained flats and external alterations

Location: The Eagle Hotel, 122 Bolton Street, Chorley, PR7 3DX

Case Officer: Mr Iain Crossland

Applicant: Mr L Giruc, Lucas Property Solutions Limited

Agent: Mr Mike Carr, Mat Design

Consultation expiry: 5 August 2020

Decision due by: 11 September 2020 (extension of time requested)

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions and a S106 Obligation to secure a contribution for the provision of public open space for children and young people.

SITE DESCRIPTION

2. The application site comprises a vacant public house and associated car park located on Bolton Street in a central area of Chorley close to Chorley Town Centre. It is located on a main highway and is a building of traditional character. It is noted that there is residential accommodation on the first floor of the building. The area is characterised by traditional buildings in a typically urban setting comprising a mix of commercial premises, retail outlets and residential accommodation. The building has been vacant for approximately 2 years.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission for the conversion of the public house building to 5no. self-contained flats. Only minor external alterations are proposed comprising the replacement of a door with a window at ground floor in the north side elevation, installation of a door in the south side elevation and installation of a new window at second floor in the rear elevation.

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. Lancashire County Council Highway Services: Have no objections regarding the proposed conversion.

PLANNING CONSIDERATIONSPrinciple of the development

6. 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.
7. The Central Lancashire Core Strategy focuses growth in Key Service Centres such as Chorley town, where the application site is located.
8. 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.
9. The proposed development would result in the loss of a public house, which is categorised as a community facility. Policy HW6 of the Chorley Local Plan 2012 - 2026 seeks to protect community facilities where they are serving a local need. No representations have been received in relation to the retention of the public house, and it is noted that there is another public house adjacent to the site that continues to trade, and other drinking establishments and community facilities in close proximity. Although the loss of the public house is in some ways regrettable this reflects a general trend of such closures, with the premises having been made available for rent/sale over a period of more than 12 months. The building has the potential to become a target for vandalism and anti-social behaviour and it is considered that a long term meaningful use of the building would be of benefit to the community. It is, therefore, considered that the loss of the public house as a community facility is acceptable in this instance.

Impact on character and appearance of the locality

10. There would be no external physical alterations to the building other than the replacement of a door with a window at ground floor in the north side elevation, installation of a door in the south side elevation and installation of a new window at second floor in the rear elevation. The way in which the property would be used would have little impact on the character of the area, given the extent of existing residential properties in the vicinity, and the comings and goings from five flats would be less intensive than a public house. The retention and conversion of the building would be a positive outcome as the building is one of character and contributes positively to the street scene.

Impact on neighbour amenity

11. The proposed residential use would introduce habitable room windows to the building at ground floor and first floor, however, none of these would result in any unacceptable overlooking. There are already habitable room windows at first floor that serve the residential use of the building and so there would be no change in relation to existing privacy standards. The application property is located over 30m from the nearest residential dwellings on the opposite side of Bolton Street. The conversion to residential accommodation is likely to have lower levels of noise and disturbance from comings and goings and general noise than the public house. A residential use is a highly compatible use when viewed in the context of adjoining residential uses.
12. In relation to the living conditions of future residents it is noted that the site is located adjacent to a public house to the south and nearby commercial uses such as car garages. The noise and disturbance associated with these types of uses has the potential to result in nuisance to future occupiers, which may result in noise complaints. It is noted, however, that there are other dwellings in close proximity to the site, which already exist within this environment, and demonstrate some level of compatibility. Furthermore, any future occupiers would be aware of the uses surrounding the site and can make informed decisions about occupancy. The accommodation itself would provide an adequate level of internal space, and although the outdoor area would be given over solely to car parking and

bin storage there are public open spaces in close proximity to the site such as Rangletts Recreation Ground to the south west.

Highway safety

13. The site has an existing vehicular access to the public highway and the proposal is to convert the existing public house to 5no. two bedroomed self-contained flats. The parking standards set out by policy ST4 of the Chorley Local Plan 2012-2026 required two off-street car parking spaces for a two bedroomed dwelling and one communal cycle storage space, however, the applicant proposes 5no. of the required total of 10no. parking spaces.
14. It is noted that the highway authority has not objected to the proposed development, and that the application site is in an area of high accessibility in relation to employment, shops, schools, health centres, community facilities etc. In addition, the site is situated close to bus routes with bus stops within short distances, and within walking distance of Chorley town centre. In addition, it is accepted that there is already parking demand generated by the existing public house and that this must be considered in relation to the proposed development.
15. The location is considered to be highly sustainable, such that a relaxation in the car parking standards can be made as per the provisions of policy ST4 of the Chorley Local Plan 2012-2026. In addition, it is noted that LCC Highways have no objection and consider that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
16. Given the sustainability credentials of the location and the parking demand already generated by the existing use, the under provision of off street parking is considered acceptable in this instance.

Public open space

17. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
18. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
19. Specifically the guidance as of last year was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications
20. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
21. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
22. There is currently a surplus of provision in Chorley South East in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for

children/young people. A contribution towards new provision in the ward is therefore not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (site 1330.1 Tatton Recreation Ground Play Area). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

Community Infrastructure Levy

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

CONCLUSION

24. There would be no unacceptable detrimental impact on the appearance and character of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition the retention of the public house as a community facility cannot be justified. The development is located in a sustainable location and would not have an unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted.

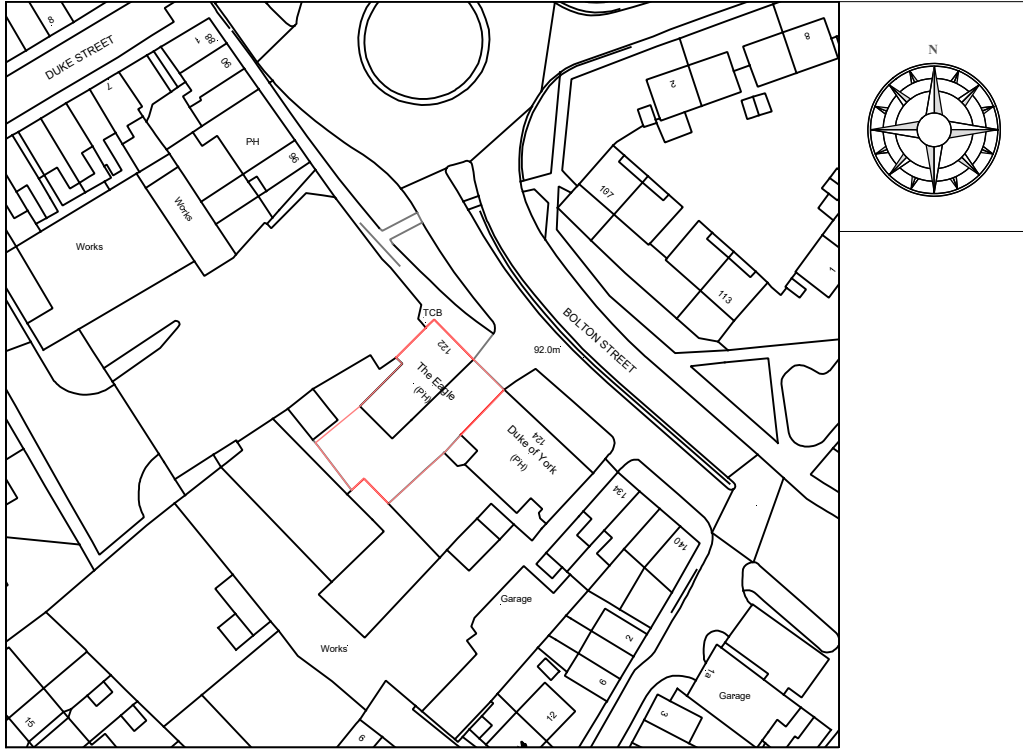
RELEVANT HISTORY OF THE SITE

Ref: 07/01023/FUL **Decision:** PERFPP **Decision Date:** 29 November 2007
Description: Proposed smoking shelter and decking area (Retrospective)

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



Project
 SUB-DIVISION OF THE EAGLE PUBLIC HOUSE TO FORM 5 SELF
 CONTAINED FLATS - 122 BOLTON STREET, CHORLEY. PR7 3DX

Contract No.	Drg.No.	Revision	Scale	1:1250	@ A4
	1		By	MCC	Date
			Chkd		JULY 2020

Client
 LUCAS PROPERTY SOLUTIONS

Drawing Title
 SITE LOCATION PLAN

MAT Design Limited
Town Planning & Building
Control Consultants

17 BROOKSIDE AVE
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 ST. HELENS
 WA10 4RN
 Telephone:07850203448
 E-mail:miketa@blueyonder.co.uk

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APPLICATION REPORT – 20/00675/CB3

Validation Date: 3 July 2020

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

Type of Application: Chorley Regulation 3

Proposal: Erection of single storey building to provide Parish Council offices and meeting facilities

Location: Whittle-Le-Woods And Clayton-Le-Woods Parish Club 239 Preston Road Clayton-Le-Woods Chorley PR6 7PY

Case Officer: Mr Iain Crossland

Applicant: Chorley Council

Agent: Mr Neil Milling, FWP

Consultation expiry: 3 August 2020

Decision due by: 11 September 2020 (Extension of time requested)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is a recently cleared site that was previously occupied by a large building of traditional design style that was originally a parish hall but had evolved to include a children's nursery, whilst continuing to serve church groups and other community based functions. The application site is located in the settlement area of Whittle le Woods and is in an established residential location on the A6 Preston Road. The site also comprises a small woodland to the rear in addition to areas of hardstanding areas providing a driveway and car park.
3. Planning permission was granted in March 2018 for the erection of a part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building (ref. 17/00954/FULMAJ). The parish building was subsequently demolished leaving the site cleared.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks planning permission for the erection of a single storey building to provide Parish Council offices and meeting facilities. The building would be located to the rear of the previously approved GP surgery building and would utilise the same access and parking arrangements. The building itself would be of modern design and would measure approximately 11m by 10m. The would be a shallow dual pitched roof with a maximum height of approximately 3.8m.

5. REPRESENTATIONS

6. No representations have been received.

CONSULTATIONS

7. Clayton-le-Woods Parish Council: No comments have been received.
8. Lancashire County Council Highway Services: Parking should be provided in line with the parking standards.
9. United Utilities: Have raised concerns as to whether the applicant has followed the surface water drainage hierarchy in designing a drainage strategy.

PLANNING CONSIDERATIONS

Principle of the development

10. The National Planning Policy Framework (The Framework) sets out the three dimensions of sustainable development having an economic, social and environmental role. Paragraph 14 further identifies the presumption in favour of sustainable development. For plan making, that means that the needs of the population are taken into account and for decision taking, where the Local Plan is absent or out of date that any adverse impacts should significantly outweigh the benefits for permission to be refused.
11. Paragraph 17 of the Framework sets out 12 'Core Planning Principles' that should underpin plan-making and decision-taking. One of these principles establishes that planning should: *"take account of and support local strategies to improve health, social and cultural wellbeing for all, and deliver sufficient community and cultural facilities and services to meet local needs."*
12. The application site is located in the settlement area of Whittle le Woods where some growth and investment is encouraged under policy 1(d) of the Central Lancashire Core Strategy. The Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
13. The Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
14. Policy HW6 of the Chorley Local Plan 2012 – 2026 seeks to protect community uses such as church halls, and states that planning permission will only be permitted where the criteria of the policy are met. In this instance, the proposed development is for a parish council building, which also falls within the scope of policy HW6 and which this policy seeks to promote.

Impact on neighbour amenity

15. The proposed building would be located approximately 20m from the nearest properties at Watkin Road to the north west and would be sited at a lower level. It would be located over 20m from the nearest properties on the part of Watkin Road to the south and over 30m from properties on Preston Road. The modest scale of the proposed development and degree of separation are such that there would be no unacceptable impact on outlook, privacy or light in relation to any of the surrounding dwellings.
16. The use of the building would be of low level intensity and the level of noise and disturbance would be negligible in relation to the presence of the previous nursery and approved GP surgery. Overall, it is considered that any impact on neighbour amenity would be acceptably minor.

Impact on character and appearance of the locality

17. The proposed building would be of a simple modern design style that would complement the design of the previously approved GP surgery building, sharing similar facing materials. As it would be of a modest scale it would be significantly smaller and subservient to the GP surgery building. Being positioned to the rear of the surgery building, which fronts Preston

Road, the proposed Parish Council building would be screened from public views and would not be prominent addition to the site being located over 40m from the highway.

18. Overall, the appearance of the building would be of a contemporary design style that would be typical of a modern and functional public building and would complement the development already approved at the site. The scale and massing would be appropriate in the context of previously approved development. The development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026.

Highway safety

19. The site currently has an established vehicular access to the car park from Preston Road. This would be stopped up and access created to the south side of the site as part of the previously approved GP surgery development. Parking provision would be made to the rear of the site and would be shared with the GP surgery. This is considered to be an acceptable arrangement.

Surface water drainage

20. Surface water from the proposed development would be managed as part of the drainage strategy that has been previously approved in relation to the development of the GP surgery. This is considered to be an acceptable arrangement.

CONCLUSION

21. The proposed development would result in the benefit of providing a modern community facility in an area of the borough that has received substantial housing development. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in no harm to the appearance of the site or character of the area. In addition, there would be no unacceptable impact on highway safety. On the basis of the above, it is recommended that planning permission be granted

RELEVANT HISTORY OF THE SITE

Ref: 90/00639/OUT **Decision:** PEROPP **Decision Date:** 6 November 1990
Description: Outline application for replacement community centre and erection of retirement housing

Ref: 90/01119/FUL **Decision:** REFFPP **Decision Date:** 12 March 1991
Description: Erection of new parish hall and three blocks of offices

Ref: 17/00954/FULMAJ **Decision:** PERFPP **Decision Date:** 7 March 2018
Description: Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building

Ref: 19/01019/DIS **Decision:** PEDISZ **Decision Date:** 28 November 2019
Description: Application to discharge conditions 7 (precautionary great crested newt method statement), 8 (invasive non-native species protocol) and 16 (construction management plan) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building)

Ref: 20/00124/CB3MAJ **Decision:** PERFPP **Decision Date:** 29 May 2020
Description: Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout.

Ref: 20/00725/CB3MAJ **Decision:** PCO **Decision Date:** Pending
Description: Section 73 application to vary condition 18 (site access construction) attached to planning permission 20/00124/CB3MAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building)) to alter the timing for the construction of the site access

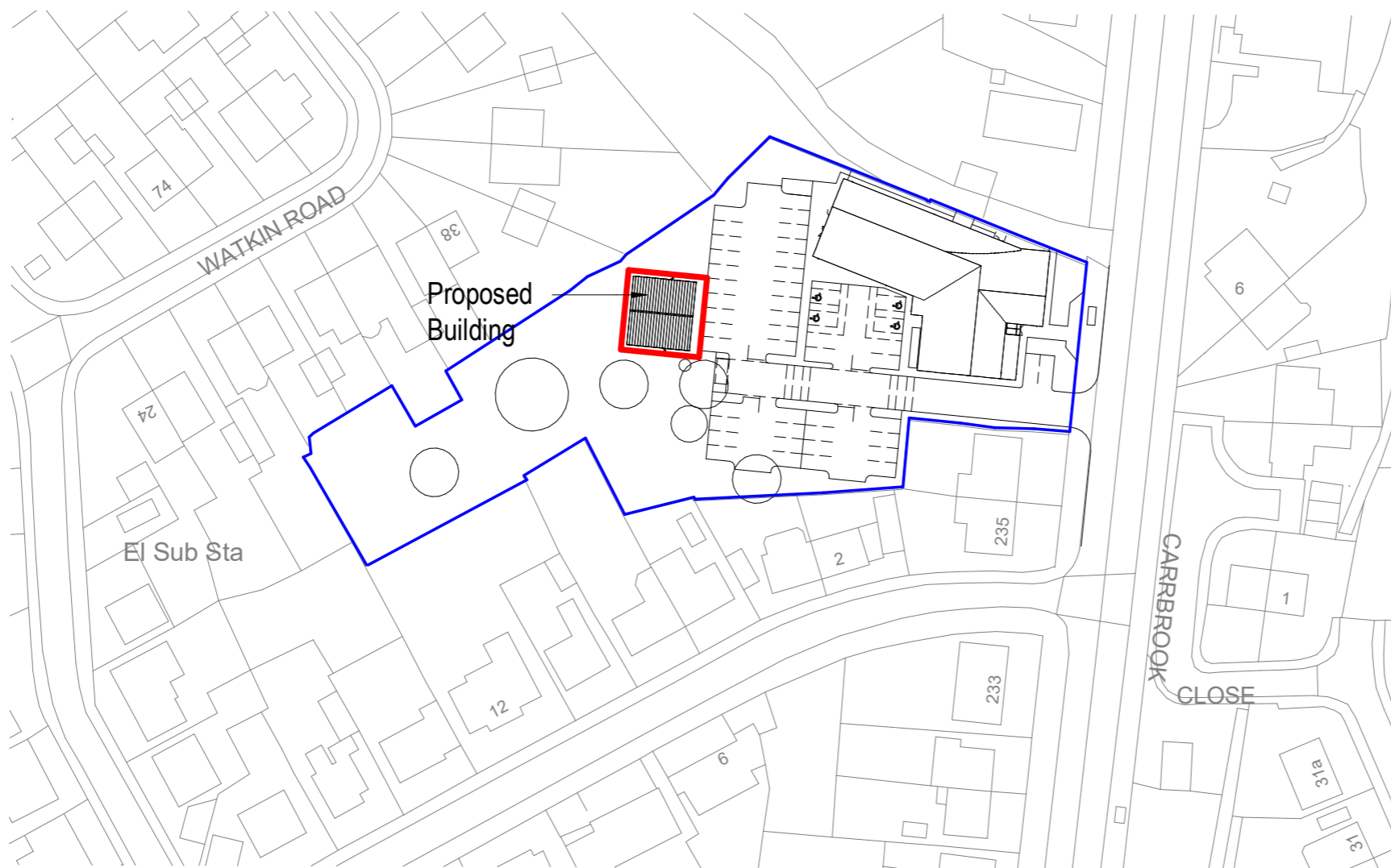
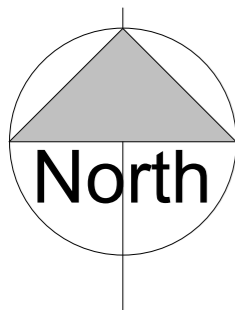
Ref: 20/00769/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge conditions nos. 9 (biodiversity enhancement measures), 12 (boundary details), 13 (levels), 14 (landscaping), and 16 (site access and off-site works of highway improvement) attached to planning permission 20/00124/FULMAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout)

Ref: 20/00805/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge condition no.10 (surface water drainage scheme) attached to planning permission 20/00124/FULMAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout)

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



EXISTING SITE PLAN 1 : 1000

> IMPORTANT
 > © This drawings copyright remains the property of this practice
 > Do not scale this drawing
 > All dimensions to be checked on site
 > Positions of existing services to be confirmed prior to proceeding

> STATUS DESCRIPTION
 S0 - Sketch
 S1 - Preliminary
 S2 - Review/ Comment
 S3 - Information
 S4 - Approval
 D - Tender
 A - For Construction
 AB - As Built
 P - Planning
 NB: Only drawings with an A 'Code' to be used for construction

> NOTES

 Blue Line boundary to Surgery building and site layout as application 20/00124/CB3MAJ

P2 02.07.20 Planning Issue
 P1 29.06.20 First issue

> REV.	> DATE	> DESCRIPTION
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> CLIENT
 Chorley Borough Council

> PROJECT
 Parish Council Building
 Preston Road, Whittle-le-Woods

> DRAWING TITLE
 Location Plan

> STATUS	> CODE
PLANNING	P

> SCALE	> DATE	> DRAWN	> CHECKED
1 : 1000@A3	02.07.20	NM	NM

> DRG NO.	> REV.
6575-FWP-S1-XX-DR-A-10101	P2

> FWP
 6 & 7 RIBBLESDALE PLACE
 PRESTON PR1 3NA
 T (01772) 259824
 F (01772) 203375
 E mail@fwp.uk.com
 www.fwpgroup.co.uk

Frank Whittle Partnership Limited

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APPLICATION REPORT – 20/00725/CB3MAJ

Validation Date: 13 July 2020

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

Type of Application: Major Chorley Regulation 3

Proposal: Section 73 application to vary condition 18 (site access construction) attached to planning permission 20/00124/CB3MAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building)) to alter the timing for the construction of the site access

**Location: Whittle-Le-Woods And Clayton-Le-Woods Parish Club 239 Preston Road
Clayton-Le-Woods Chorley PR6 7PY**

Case Officer: Mr Iain Crossland

Applicant: Chorley Council

Consultation expiry: 6 August 2020

Decision due by: 12 October 2020

RECOMMENDATION

1. It is recommended that this section 73 application is approved subject to conditions.

SITE DESCRIPTION

2. The application site is a recently cleared site that was previously occupied by a large building of traditional design style that was originally a parish hall but had evolved to include a children's nursery, whilst continuing to serve church groups and other community based functions. The application site is located in the settlement area of Whittle le Woods and is in an established residential location on the A6 Preston Road. The site also comprises a small woodland to the rear in addition to areas of hardstanding areas pricing a driveway and car park.
3. Planning permission was granted in March 2018 for the erection of a part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building. The parish building was subsequently demolished leaving the cleared.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks to vary condition 18 (site access construction) attached to planning permission 20/00124/CB3MAJ, which varied conditions attached to planning permission 17/00954/FULMAJ and was for the erection of a part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following the demolition of the existing building.

APPLICANT'S CASE

5. The proposal is for the removal of the requirement of pre-commencement planning condition no.18. Due to the nature of the works a licence application process to the Local Highway Authority will be required prior to any works commencing, which is estimated to be a minimum 12-week period. There is an added complication with creating the entrance in that there is a potential requirement to lower the existing services in the pavement and across the width of the entrance, meaning further works would be required to the entrance. There is an efficiency and commercial benefit to the project and neighbouring residents to undertake the works concurrently. We also anticipate a need to account for the likely consequences of the current global pandemic, COVID-19 and how this will ultimately affect programme timescales, approval times, limited labour, and the supply chain to name but a few given the current uncertainties.
6. The programme of construction works have been impacted as a result of COVID-19, meaning we are now currently scheduled to commence on site in early October leaving very limited time to carry out the works to fulfil all the condition 18 requirements. The delivery of this scheme is of importance to the community as it will deliver much needed facilities to relocate the existing GP surgery on Preston Road that is no longer fit for purpose. We therefore respectfully request the removal of condition 18 from a pre-commencement condition as without this there would be a significant delay to the proposed start on site date and the consequential impact to the completion of the project.
7. The condition removal would also align with associated works under Condition 17 which states:
No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.
8. In summary the removal of the condition would significantly help mitigate the anticipated programme delay and help deliver the new Whittle GP Surgery to the town of Chorley on programme. Given the current focus on the nation's health and wellbeing we are confident on time project completion of the Whittle GP Surgery next summer will be well received by the local community and authorities.

REPRESENTATIONS

9. No representations have been received.

CONSULTATIONS

10. Clayton-le-Woods Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

11. Planning permission was granted in 2018 for the erection of a part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following the demolition of an existing building. The building was subsequently demolished and, therefore, the planning permission was implemented and remains extant. This means that the development can be completed within an indeterminate timescale.
12. Following on from the original planning permission the funding arrangements for the development altered, with a change in developer to Chorley Council. This resulted in a further application (ref. 20/00124/CB3MAJ) to reduce the scale of the GP surgery building, which was approved in May 2020.
13. As the development has progressed it is clear that a number of factors have led to the delay in the delivery of the scheme, not least of which has been the ongoing Covid-19 pandemic

and the associated impact on the operations of all sectors of business. The delivery of the GP surgery remains a priority for the community, however, given the lack of capacity available at the current Whittle GP Surgery.

14. It is noted that condition 18 attached to planning permission 20/00124/CB3MAJ requires the site access between the site and Preston Road to be constructed in accordance with the Lancashire County Council Specification to at least base course level before any development, other than demolition and enabling works, takes place within the site.
15. Given that there is an existing surfaced vehicular access to the site that was used throughout the demolition phase it is considered that this would be suitable for the continued development of the site until such a time as an alternative access has been provided. The applicant has indicated that it is their intention that a temporary access would be constructed in order to progress the development prior to the approved access having been constructed in accordance with the Lancashire County Council Specification to at least base course level. This would enable to development to progress without a costly and inconvenient delay, which would be harmful to the users of Whittle GP Surgery and the community that it serves.
16. It is, therefore, recommended that condition 18 attached to planning permission 20/00124/CB3MAJ is varied as follows:

The site access between the site and Preston Road shall be constructed in accordance with the Lancashire County Council Specification to at least base course level prior to the closure of the temporary vehicular access, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to its construction.

Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

17. There would be no greater impact on highway safety or the efficient functioning of the highway as a result of the change in timing for the implementation of the approved access and it is noted that condition 17 requires that the approved access and the off-site works of highway improvement must have been constructed and completed in accordance with the scheme details prior to the occupation of the surgery building, which secures the provision of a suitable permanent access arrangement. On the basis of the above it is, therefore, considered that the proposed variation to the condition is acceptable.

CONCLUSION

18. It is recommended that the application is approved and condition 18 is varied for the reasons set out above.

RELEVANT HISTORY OF THE SITE

Ref: 17/00954/FULMAJ **Decision:** PERFPP **Decision Date:** 7 March 2018
Description: Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building

Ref: 19/01019/DIS **Decision:** PEDISZ **Decision Date:** 28 November 2019
Description: Application to discharge conditions 7 (precautionary great crested newt method statement), 8 (invasive non-native species protocol) and 16 (construction management plan) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building)

Ref: 20/00124/CB3MAJ **Decision:** PERFPP **Decision Date:** 29 May 2020
Description: Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three

storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout.

Ref: 20/00675/CB3 **Decision:** PCO **Decision Date:** Pending
Description: Erection of single storey building to provide Parish Council offices and meeting facilities

Ref: 20/00769/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge conditions nos. 9 (biodiversity enhancement measures), 12 (boundary details), 13 (levels), 14 (landscaping), and 16 (site access and off-site works of highway improvement) attached to planning permission 20/00124/FULMAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout)

Ref: 20/00805/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge condition no.10 (surface water drainage scheme) attached to planning permission 20/00124/FULMAJ (Section 73 application to vary conditions 3 (approved plans), 4 (materials) and 5 (parking layout) attached to planning permission 17/00954/FULMAJ (Erection of part three storey, part two storey, part single storey GP surgery, pharmacy and community cafe with associated car parking, access and landscaping following demolition of existing building) to alter the design and scale of the building and car park layout)

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

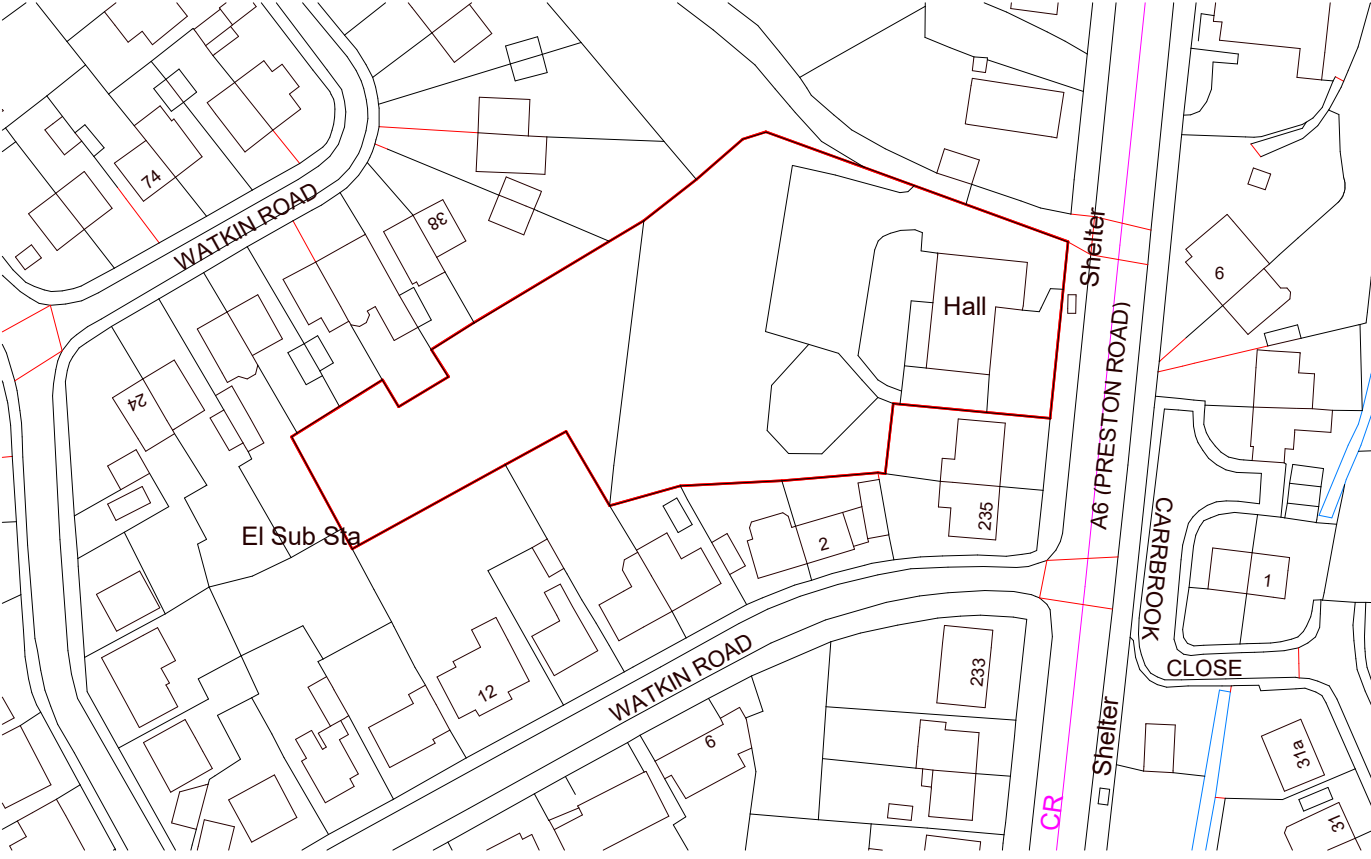
No.	Condition																					
1.	<p>The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission.</p> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>																					
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="336 1630 1313 2036"> <thead> <tr> <th data-bbox="336 1630 730 1662">Title</th> <th data-bbox="730 1630 1023 1662">Drawing Reference</th> <th data-bbox="1023 1630 1313 1662">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 1662 730 1722">Location plan</td> <td data-bbox="730 1662 1023 1722">5567-FWP-L-00</td> <td data-bbox="1023 1662 1313 1722">27 September 2017</td> </tr> <tr> <td data-bbox="336 1722 730 1783">Elevations proposed with materials</td> <td data-bbox="730 1722 1023 1783">ZZ-XX-SK-A-20201</td> <td data-bbox="1023 1722 1313 1783">6 February 2020</td> </tr> <tr> <td data-bbox="336 1783 730 1843">Site Plan Additional Secure By Design Work</td> <td data-bbox="730 1783 1023 1843">1913-FWP-S1-XX-DR-A-90102 Rev.P1</td> <td data-bbox="1023 1783 1313 1843">6 February 2020</td> </tr> <tr> <td data-bbox="336 1843 730 1904">Site Plan Proposed</td> <td data-bbox="730 1843 1023 1904">1913-FWP-S1-XX-DR-A-90101 Rev.P2</td> <td data-bbox="1023 1843 1313 1904">6 February 2020</td> </tr> <tr> <td data-bbox="336 1904 730 1964">Elevations proposed</td> <td data-bbox="730 1904 1023 1964">1913-FWP-B1-XX-DR-A-20201 Rev.P4</td> <td data-bbox="1023 1904 1313 1964">6 February 2020</td> </tr> <tr> <td data-bbox="336 1964 730 2036">Floor plans proposed</td> <td data-bbox="730 1964 1023 2036">1913-FWP-B1-XX-DR-A-20101 Rev.P4</td> <td data-bbox="1023 1964 1313 2036">6 February 2020</td> </tr> </tbody> </table>	Title	Drawing Reference	Received date	Location plan	5567-FWP-L-00	27 September 2017	Elevations proposed with materials	ZZ-XX-SK-A-20201	6 February 2020	Site Plan Additional Secure By Design Work	1913-FWP-S1-XX-DR-A-90102 Rev.P1	6 February 2020	Site Plan Proposed	1913-FWP-S1-XX-DR-A-90101 Rev.P2	6 February 2020	Elevations proposed	1913-FWP-B1-XX-DR-A-20201 Rev.P4	6 February 2020	Floor plans proposed	1913-FWP-B1-XX-DR-A-20101 Rev.P4	6 February 2020
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Floor plans proposed	1913-FWP-B1-XX-DR-A-20101 Rev.P4	6 February 2020																				

	<i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>
3.	<p>The external materials as detailed on the approved plans shall be used and no 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 shall be marked out in accordance with the approved plan reference 1913-FWP-S1-XX-DR-A-90101 Rev.P2 received on 6 February 2020 and 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 or treatment units are to be used in the outdoor areas of the site 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.</p> <p><i>Reason: To safeguard the amenities of the occupiers of nearby residential accommodation.</i></p>
6.	<p>The mitigation measures set out in the precautionary great crested newt method statement approved under application reference 19/01019/DIS shall be implemented in full and shall be retained through the course of the development hereby approved.</p> <p><i>Reason: To ensure that any great crested newts that may be utilising the habitat are not disturbed or harmed.</i></p>
7.	<p>The development hereby approved shall be carried out strictly in accordance with the measures set out in the invasive non-native species protocol approved under application reference 19/01019/DIS.</p> <p><i>Reason: Invasive Japanese knotweed has been found on the site.</i></p>
8.	<p>No removal of or works to any 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.</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>A scheme of Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to first occupation of the development (or in accordance with a phasing plan, which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.</p> <p><i>Reason: The development has the potential to have significant negative impacts on</i></p>

	<p><i>site and its surrounding habitat if not undertaken properly.</i></p>
10.	<p>Prior to the commencement of any development, other than demolition and enabling works, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions 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 and National Planning Practice Guidance.</i></p>
11.	<p>Prior to occupation 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> <p>a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and</p> <p>b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.</i></p>
12.	<p>Prior to the commencement of development, other than demolition and enabling works, 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 amenities of occupiers of nearby property.</i></p>
13.	<p>Before the development hereby permitted is first commenced, other than demolition and enabling works, 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>

	<p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
14.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development, other than demolition and enabling works. 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. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><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>
15.	<p>The development hereby approved shall be carried out in accordance with the construction management plan approved under application reference 19/01019/DIS.</p> <p><i>Reason: In the interests of highway safety and to protect the amenities of the nearby residents.</i></p>
16.	<p>No part of the development hereby approved shall commence, other than demolition and enabling works, until a scheme for the construction of the site access and the off-site works of highway improvement comprising bus stop improvements and a surface level crossing and pedestrian refuge, have been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
17.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</i></p>
18.	<p>The site access between the site and Preston Road shall be constructed in accordance with the Lancashire County Council Specification to at least base course level prior to the closure of the a temporary vehicular access, the details of which shall be submitted to and approved in writing by the Local Planning Authority prior to its construction.</p>

	<p><i>Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.</i></p>
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SITE LOCATION PLAN 1 : 1250

- > IMPORTANT
- > © This drawing is copyright and remains the property of this practice
- > Do not scale of this drawing
- > All dimensions to be checked on site
- > Positions of existing services to be confirmed prior to proceeding

- > REVISION STATUS
- S Information issued for feasibility or scheme design
- T Information issued for tender purposes only
- C Information issued for construction
- NB: Only those drawings containing a C revision to be used for construction

- > NOTES
- North to top of page.

REVISION	DATE	DESCRIPTION
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> CLIENT
Whittle-Le-Woods GP Surgery

> PROJECT
Proposed Relocation of Whittle-le-Woods GP Surgery

> DRAWING TITLE
Location Plan

> STAGE
Planning Submission

SCALE	DATE	DRAWN	CHECKED
1 : 1250	07/10/17	GL	NA

> DRG NO.
5567-FWP-L_00

> FWP
6 & 7 RIBBLESDALE PLACE
PRESTON PR1 3NA
T (01772) 259824
F (01772) 203375
E mail@fwp.uk.com
www.fwpgroup.co.uk

Frank Whittle Partnership Group



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APPLICATION REPORT – 20/00688/PIP

Validation Date: 8 July 2020

Ward: Wheelton And Withnell

Type of Application: Permission In Principle

Proposal: Permission in principle application for the erection of 4no. detached dwellings with associated parking and domestic gardens

Location: St Lukes Church Quarry Road Brinscall Chorley PR6 8RB

Case Officer: Mike Halsall

Applicant: Christopher Homer

Agent: N/A

Consultation expiry: 6 August 2020

Decision due by: 11 September 2020 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that permission in principle is granted, subject to conditions.

SITE DESCRIPTION

2. The application relates to the land upon which St. Lukes Church is situated, located on the eastern side of Quarry Road, towards the eastern edge of the settlement boundary of Brinscall. The church fronts Quarry Road in an existing street frontage, is located centrally within a wider plot of grassed land with dwellings located either side to the north and south. The land to the rear of the church, to the east, appears to be open pastureland. It is understood that the church has not been in regular use for any purpose since early 2018. The church is not a locally or statutorily listed building.
3. Planning permission has previously been granted in December 2019 for the conversion of the church to a dwelling (ref. 19/01031/FUL). Following this, the landowner reassessed their options for the development of the site and decided upon the demolition of the church and redevelopment of the site for housing.
4. The method of demolition of the church was approved by the Local Planning Authority in April 2020 via prior approval application ref. 20/00343/DEMCON. Planning permission for the demolition of the church is not required as it falls to be considered permitted development under Schedule 2, Part 11, Class B of the General Permitted Development (England) Order 2015.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. This application seeks permission in principle for the erection of four detached dwellings with associated parking and domestic gardens at the site once the church has been demolished.

REPRESENTATIONS

6. Representations have been received from 27 individuals citing the following grounds of objection (summarised):
- Highway safety
 - Inadequate parking
 - Health and safety during construction work
 - Impacts on nature conservation and trees
 - Impacts upon bats and other wildlife
 - Rear boundaries not consistent with other properties on Quarry Road
 - Cultural, historic and architectural significance of the church would be lost
 - Loss of privacy
 - Loss of residential amenity
 - Overlooking
 - Overshadowing
 - Loss of light
 - Japanese knotweed present on the site
 - Damage to road surface
 - Disruption during construction
 - Landscape and visual impacts
 - Flood risk
 - Blocking of a passage that runs behind the existing houses
 - Loss of a community asset
 - Insufficient capacity of local sewer network
 - Overdevelopment of the plot
7. The above issues, where considered to be material planning considerations, are discussed under the Planning Considerations heading later in this report.

CONSULTATIONS

8. Withnell Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

9. Paragraph 012 of the National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*
10. The majority of the neighbour comments/objections relate to technical matters that will be assessed as part of any future detailed consent application and fall outside of what the Council can assess as part of this current application, as set out in the above paragraph from the NPPG.
11. In terms of location and land use, the site is situated within the settlement area of Brinscall as identified within the Chorley Local Plan 2012-2026. Policy V2 of the Chorley Local Plan 2012 - 2026 sets out 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 subject to material considerations and other policies and proposals within the plan. This should be read in conjunction with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1, Brinscall is identified as a Rural Local Service Centre where limited growth and investment will be encouraged to help meet local housing and employment needs and to support the provision of services to the wider area. The site forms a gap between two rows of terraced houses and, therefore, housing is considered to be an appropriate land use for the location.

12. With regards to the amount of development, an indicative parameters plan has been submitted which identifies a potential layout for the site with the four dwellings appearing to be consistent in terms of footprint and spacing with other dwellings on Quarry Road.
13. Policy HW6 of the Chorley Local Plan 2012 – 2026 identifies that development proposing the change of use or loss of any premises or land currently or last used as a community facility 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; and
 - 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.
14. The loss of the church as a former community asset has already been assessed and found to be acceptable by virtue of planning permission ref. 19/01031/FUL. The applicant submitted supporting evidence as part of the proposal which identified, in summary, that;
- The church does not contain any burial land, graveyard, cemetery or crematorium;
 - The existing building has fallen into a state of disrepair and has not been used to host church services for a number of years;
 - The church has not been used to host community services (i.e. cubs, scouts, beavers, etc.) since February 2018;
 - The building is currently not fit for use by the community and would require significant investment to bring the building up to current standards;
 - This level of financial investment was not feasible from the diocese as the services that were offered by St Luke's are offered within the same community area via St Paul's of Withnell, Hillside Methodist Church and Brinscall Community Hall;
 - Community services (e.g. community groups, cubs, scouts, etc.) that were previously provided by St Luke's are now provided at St Paul's. Hillside, Brinscall Community Centre and Brinscall St Johns Primary School;
 - The use of St Luke's was no longer financially viable to the Diocese due to the level of investment required to bring the building up to current standards and the Diocese took the decision to sell the building to allow the sales proceeds to be used in the other Churches and Community Services offered by the Diocese in the Brinscall area; and
 - The existing building at St Luke's is also not DDA accessible and, therefore, the use of this building by either the disabled or elderly people provides a valid amenity and environmental reason as to why the use of this facility is no longer acceptable.
15. The above justification, some of which was validated during the officer's site visit, is considered to be sufficient to demonstrate compliance with policy HW6 of the Chorley Local Plan 2012 – 2026.
16. Whilst it is noted that the church has some limited historical and local importance, it is not locally or statutory listed. As such, there would be no conflict with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012-2026.

Community Infrastructure Levy

17. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. CIL Liability is not calculated on applications for Permission in Principle but will be CIL Liable on approval of the technical details (if approved).

CONCLUSION

18. The principle of erecting four dwellings at the application site is considered acceptable in terms of location, land use and the amount of development. It is, therefore, recommended that permission in principle is granted, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 5/4/00013 **Decision:** CLO **Decision Date:** 14 August 1949
Description: W.C at church

Ref: 89/00013/FUL **Decision:** PERFPP **Decision Date:** 21 February 1989
Description: Extension and new access

Ref: 19/01031/FUL **Decision:** PERFPP **Decision Date:** 19 December 2019
Description: Conversion of existing St Lukes Missionary Church into one dwelling, including the removal of an existing single storey extension and erection of a garage

Ref: 20/00343/DEMCON **Decision:** PERDEM **Decision Date:** 11 May 2020
Description: Demolition of redundant building to facilitate future development of the site

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

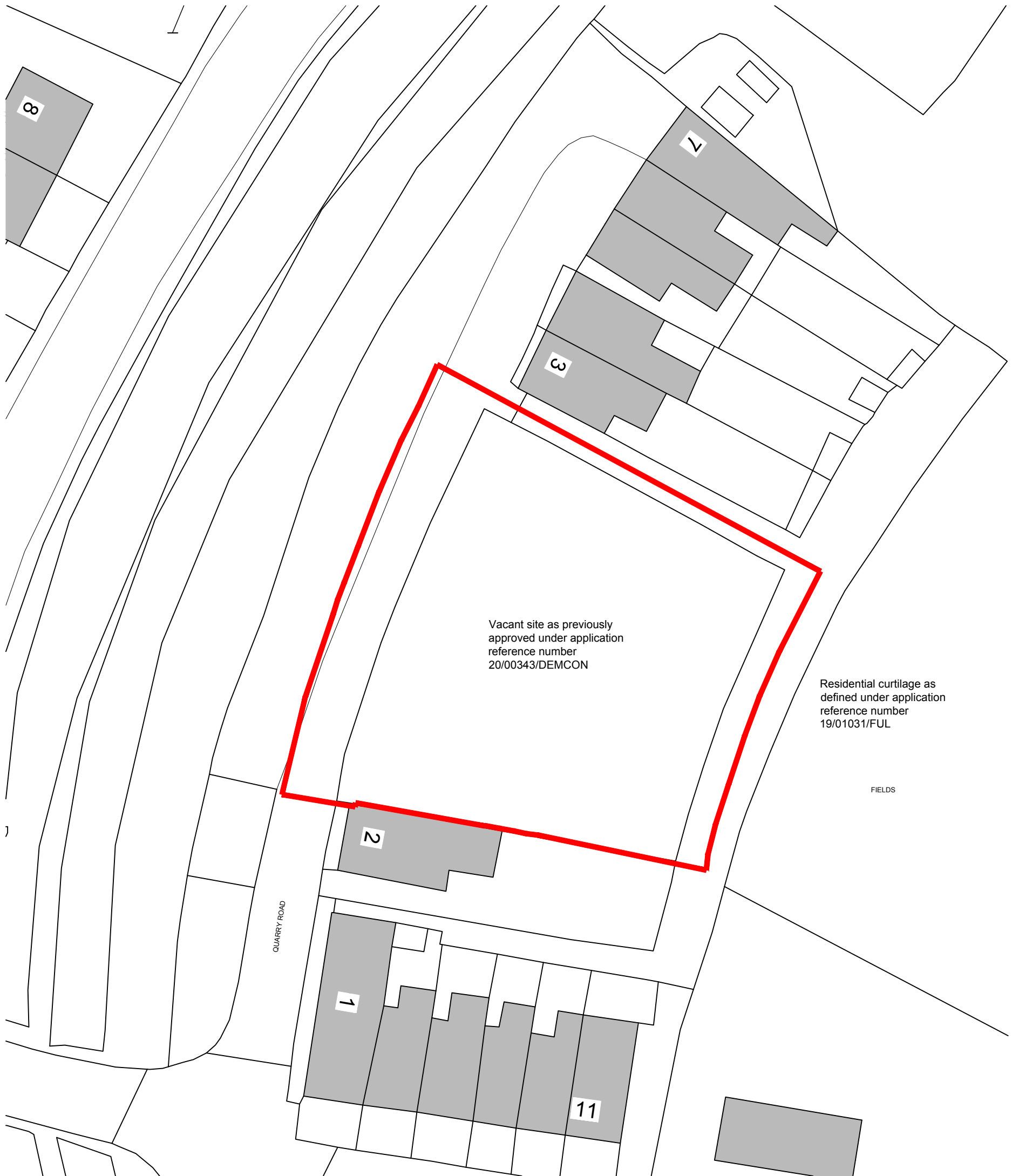
1. The proposed development must be begun not later than three years from the date of this permission.

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
Existing Site Plan	(S)01-01-PIP	7 July 2020

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



Deviating from these drawings without consultation and/or agreement with the employer is unacceptable. This drawing is indicative and exact dimensions should be checked and confirmed on site by the nominated contractor or competent persons prior to commencement of building works. All drawings and dimensions shall be verified by the relevant contractors on site prior to commencement of any works, ordering of materials or setting out. Any discrepancies should be reported in writing to SDA Architecture Ltd.

Do not scale from this drawing unless trained to use a scale ruler - only work from written and checked dimensions. This drawing is the property of SDA Architecture Ltd and copyright reserved by them. This drawing is not to be used, copied or disclosed by or to any unauthorised persons without prior written authorisation consent from SDA Architecture Ltd.

DO NOT PROCEED WORKS IN THE EVENT OF A DRAWING DISCREPANCY

For all structural aspects please refer to Structural Engineers project information and cross reference all drawings, details and calculations with the architectural drawing prior to commencement of building works.

SDA Architecture Ltd is a trading name of Style Design and Architecture Ltd and holds no responsibility or liability for any works carried out on site.

DO NOT SCALE ONLY USE DIMENSIONS SHOWN

Project Information:

Client: Mr and Mrs Lewis-Pierpoint
 Project Title: Proposed Housing Development
 Project Address: St Lukes, Quarry Road, Binscull, Chorley, PR8 8RB
 Project Stage: Planning Consent Application
 Date of Drawing Production: 18.06.20

Drawn By Initials: CH
 Inspected: SLP
 Drawing Sheet Size: A1 (841 x 594)
 Drawing Scale: 1:200
 Site Area Hectare: 0.0411
 Extension Area CL (m²): -

Existing Site Plan

Project Number:	Drawing Reference Code:	Revision:
0334	(S)01-01-PIP	-

Drawing Registry Revision

Rev.	Date	Description	Author



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Report of	Meeting	Date
Service Lead - Planning	Planning Committee	8 September 2020

DRAFT DECISION IN RESPONSE TO BT CONSULTATION ON PAYPHONE REMOVAL

PURPOSE OF REPORT

1. To present the council’s draft decision in response to the proposal by British Telecom (BT) to remove a number of public call boxes in the borough.

RECOMMENDATION(S)

2. That the report is noted.
3. That the preparation and issuing of the Final Notification to BT and the Secretary of State be delegated to the Director of Customer and Digital in consultation with Chair and Vice Chair.

EXECUTIVE SUMMARY OF REPORT

4. When BT announces plans to remove a phone box, the council, as the local planning authority, is consulted and must decide whether to use its local veto to object. To do this the council needs to consider the views of the local community, announce its initial decision and ask for opinions on it before arriving at its final decision a month later.
5. The council may also consider a number of other factors including the nature of the local area and proximity of other phone boxes but must be able to objectively justify its decision.
6. The consultation ends on 7 October 2020 and the council must respond to BT by this date.
7. There are three payphones in the borough that are proposed for removal. A list of these is attached including their location and usage over the last twelve months (Appendix B).
8. The council is currently in the consultation period and has issued a draft decision based on the responses. The decision is indicated in Appendix B.

Confidential report Please bold as appropriate	Yes	No
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CORPORATE PRIORITIES

9. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

10. British Telecom is currently undertaking a programme of intended public payphone removals and is undertaking a formal consultation process with the council and the local community.
11. BT has a duty known as the Universal Service Obligation to provide a reasonable number of phone boxes where they are most needed. Ofcom guidance has also been issued in respect of the process of removing payphones.
12. When British Telecom announces plans to remove a phone box the council must decide whether to use its local veto to object. To do this the council needs to consider the views of the local community. Following this consideration, the council needs to issue its decision.
13. BT has a right of appeal against the council's decision to use its local veto to object.

PROCEDURE FOR REMOVAL OF PUBLIC CALL BOXES

14. BT has provided the council with Ofcom guidance which sets out the procedure for the removal of public call boxes (PCBs). The procedure involves a consultation period of a maximum of 90 days. The procedure can be summarised as follows:
 - a. BT display a notice in the payphones identified for removal. This notice asks members of the public to contact the local planning department with any comments
 - b. BT give written notice of the proposals to the local council
 - c. The council consults with other public bodies such as parish councils
 - d. The council considers the responses to the consultation including any received from members of the public to the payphone notice
 - e. The council then considers the responses and makes a decision
 - f. The council publishes the notification setting out its' decision and sends a copy to the Secretary of State and to BT

OPTIONS

15. The council needs to advise BT of its decision in respect of each payphone: whether to agree to the removal, object to the removal or whether the local community wishes to adopt the phone box.
16. As part of the consultation process, BT is giving communities the opportunity to adopt a traditional red 'heritage' phone box and make them an asset that people can benefit from, such as a book store or a defibrillator station. This costs £1 and more details about how to do this were included in the consultation information.
17. The council must work within the terms of the Communications Act 2003 when making its decision. This means that it must be able to objectively justify its decisions, as well as encourage competition and look after the interests of all members of the community. The decisions must be proportionate to what is trying to be achieved and transparent.

CONSULTATION

18. BT is currently carrying out a 90-day consultation period and put up notices in the relevant phone boxes on 8 July 2020.
19. The BT guidance on the consultation process recommended that the council consults with parish councils and this consultation period ran from 10 July 2020 to 9 August 2020.
20. An email was sent to all affected parish councils and ward councillors on 10 July 2020.
21. One response was received from a Councillor and is detailed in Appendix A.
22. The council is required to issue its Final Notification (i.e. final decision) based on the responses received and having had regard to certain other considerations detailed below.

CONSIDERATIONS

23. The council must be able to objectively justify its decisions. This means that we must be able to provide reasons in the case that we object to the removal of an individual payphone.
24. In addition to the responses from the consultation the council is advised to consider some other factors when making the decision on whether or not to use its local veto to object to the removal. The council should look at the area that surrounds the phone box and the people who live there.
25. The type of housing around a phone box may indicate how important the phone box is. Where there are a large number of homeowners it is likely they will have mobiles as well.
26. The number of households is another consideration as there may be concerns about alternative access where there is a low population density in an area.
27. The use of the phone box for emergency calls should also be a consideration. For example, if the phone box is near to an accident blackspot it may strengthen the argument to keep it.
28. The lack of mobile phone coverage may also be an important factor in the decision.
29. BT has confirmed that the criteria used to identify payphones for removal was the level of use of the phones.
30. The council would not have been able to assess these proposals on an individual phone box basis without the investment of significant resources and so has worked closely with parish councils.
31. There may be concerns from residents that a valuable and longstanding service has been withdrawn. The parish council's unique position enables them to best understand the needs of the local community.

NEXT STEPS

32. Subject to Planning Committee authorisation the decision will be issued by the Director of Customer and Digital in consultation with Chair and Vice Chair.

Report Author	Ext	Date	Doc ID
Mike Halsall	5226	September 2020	***

Appendix A

Consultation Response

Phone box	Response
OPP HALL GATE PCO1 CHANCERY ROAD CHORLEY	I have no objection to the removal of this phone box in Astley Village. I have not seen anyone use it in years. It is a modern non classic design and I cannot see a use for it that would not encourage vandalism.

Appendix B

List of phone boxes identified for proposed removal

Chorley District

Telephone Number	Address	Post Code	Number of calls in last 12 months	Posting Completed Date	Agree/ Adopt/ Object	Comments/Reasons
01257 270528	OPP HALL GATE PCO1 CHANCERY ROAD CHORLEY	PR7 1XP	13	08/07/2020	Agree to removal	
01257 275151	OUTSIDE OF 94 SUB POST OFFIC PCO1 EAVES LANE CHORLEY	PR6 0SU	30	08/07/2020	Agree to removal	
01257 275111	O/S93 PCO1 COLLINGWOOD ROAD CHORLEY	PR7 2PT	0	08/07/2020	Agree to removal	

Signature:

Area: Chorley District

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Report of	Meeting	Date
Director (Customer & Digital)	Planning Committee	8 September 2020

PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 3 JULY 2020 AND 28 AUGUST 2020

PLANNING APPEALS LODGED

Planning Application: 20/00301/FULHH - Inspectorate Reference: APP/D2320/D/20/3255905

Appeal by Mr & Mrs T Edge against the delegated decision to refuse full planning permission for a single storey rear extension.

Pack Saddle Barn, Wigan Road, Euxton, Chorley, PR7 6JZ.

Inspectorate letter confirming appeal valid received 23 July 2020.

Application for a certificate of lawfulness 19/01015/CLEUD - Inspectorate Reference: APP/D2320/C/20/TBC

Appeal by Mr Kevin Smith against the delegated decision to refuse to grant a certificate of lawfulness for an existing fence.

The Compound Coppull Enterprise Centre Mill Lane, Coppull, Chorley.

Inspectorate letter confirming appeal valid received 30 July 2020.

Planning Application: 20/00208/FUL - Inspectorate Reference: APP/D2320/W/20/3255316

Appeal by Ms Wendy Boyd against the delegated decision to refuse full planning permission for the change of use from cafe (Use Class A3) to mixed cafe / public house use (Use Classes A3 and A4) (retrospective).

The Little Inn On The Park, 4 Hallgate, Astley Village, Chorley, PR7 1XA.

Inspectorate letter confirming appeal valid received 6 August 2020.

Planning Application: 19/00801/FUL - Inspectorate Reference: APP/D2320/W/20/3255761

Appeal by Mr & Mrs Doyle against the delegated decision to refuse full planning permission for the erection of stable block, hardstanding areas and creation of sand paddock (Retrospective).

Salt Pit Farm, Salt Pit Lane, Mawdesley, Ormskirk, L40 2QX.

Inspectorate letter confirming appeal valid received 12 August 2020.

Planning Application: 20/00401/FULHH - Inspectorate Reference: APP/D2320/W/20/3257130

Appeal by Mr Michael Andrew Wiles against the delegated decision to refuse full planning permission for an extension of an existing outbuilding to provide home office space.

1 Sutton Fold, Sutton Lane, Adlington, Chorley, PR6 9PB.

Inspectorate letter confirming appeal valid received 13 August 2020.

PLANNING APPEAL DECISIONS

Planning Application: 19/01074/FULHH - Inspectorate Reference: APP/D2320/D/20/3250074

Appeal by Mr & Mrs S Parkin against the delegated decision to refuse full planning permission for a first floor extension above an existing detached double garage to provide living accommodation.

2 Brookfield Lane, Clayton-Le-Woods, Chorley, PR6 7FG.

Appeal dismissed 10 July 2020.

Planning Application: 19/00654/OUTMAJ - Inspectorate Reference: APP/D2320/W/20/3247136

Appeal by Gladman against the Planning Committee decision to refuse outline planning permission for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access.

Land Between Pear Tree Lane And School Lane, Pear Tree Lane, Euxton.

Appeal allowed 19 August 2020.

PLANNING APPEALS WITHDRAWN

None

ENFORCEMENT APPEALS LODGED

None

ENFORCEMENT APPEAL DECISIONS

Inspectorate Reference: APP/D2320/C/20/3247997

Appeal by Interlec Systems against an Enforcement Notice relating to the unauthorised erection of a fence.

Land Adjacent To Wigan Lodge, Wigan Lane, Chorley.

Appeal is dismissed, and the enforcement notice upheld 19 August 2020.

ENFORCEMENT APPEALS WITHDRAWN

None

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	28 August 2020	***