

## **APPLICATION REPORT – 19/00016/CO3MAJ**

**Validation Date: 9 January 2019**

**Ward: Astley And Buckshaw**

**Type of Application: Major Chorley Regulation 3 Outline**

**Proposal: Outline application for employment development comprising of Office (Use Class B1), Light industrial (Use Class B1) and General Industrial (Use Class B2) uses with all matters reserved apart from access.**

**Location: Land to The Rear of Brookfield Alker Lane Euxton**

**Case Officer: Caron Taylor**

**Applicant: Chorley Council**

**Agent: Nexus Planning**

**Consultation expiry: 20 February 2019**

**Decision due by: 10 April 2019**

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### **RECOMMENDATION**

It is recommended that outline planning permission is granted.

### **SITE DESCRIPTION**

The application site comprises 2.97 hectares of land located to the north of Euxton Lane within the boundaries of Chorley.

To the north the site is bounded by the Blackpool to Manchester railway line and to the east by the new Strawberry Fields development where the Digital Hub is nearly complete (this site was originally approved under outline permission ref: 15/00224/OUTMAJ). Immediately bounding with the south west corner of the application site are two residential properties know as Brookfield and Ingholme. To the west the site is bounded by Alker Lane, an unadopted road, beyond which is Euxton Park Golf Centre. To the south the site is bounded by Euxton Lane. On the other side of Euxton Lane are the properties on Badgers Walk beyond which are the residential properties of Astley Village and Derian House Children's Hospice.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

Outline planning permission is sought for an employment development comprising offices (Use Class B1), light industrial use (Use Class B1) and general industrial use (Use Class B2) with all matters reserved apart from access.

### **RELEVANT HISTORY OF THE SITE**

There is no recent relevant planning history.

### **REPRESENTATIONS**

Three representations have been received citing the following grounds of objection:

- A buffer zone is planned between the development & the closest residential properties but there is no indication as to the size of the zone as it is not to scale. How close will the nearest building be to perimeter fences?;
- There are also indications that trees will be planted in this area so we ask who will maintain the zone going forward?;
- Has there been consideration of the security of the rear of the dwellings and the security of the site? What fencing would you propose to install in the area of our houses?;
- Pedestrian access is illustrated on the plan drawing as providing pedestrian/cycle access from Euxton Lane and progresses parallel to the fence of Ingholme. We are concerned that users of this path will impact on the privacy and security of the residents & possibly cause nuisance as noise & disturbance. It is of additional concern that the location of the pedestrian access may encourage day long parking on the service layby to the two houses which would cause inconvenience to the residents. For these reasons we would ask for consideration of siting the pedestrian access further to the east, i.e. away from the residential properties;
- We see that it is intended to build two storey buildings adjacent to the house at Ingholme & to both gardens. Has consideration been given to noise & light pollution impacting on the residents? Will windows be facing onto the gardens thereby impacting on privacy? Will the height of the buildings cast shadows across the gardens thereby robbing them of natural daylight?;
- Sewage - Photo 6 of Appx C of the Ground Risk Assessment Part 1 shows a concrete pad located centrally in the southern part of the site. This pad covers the filter bed to the septic tank system which serves the two houses Brookfield and Ingholme. The septic tank located in the garden of Ingholme drains over the field via the filter bed, i.e. across the southern part of the development. Has consideration been made of this?

## CONSULTATIONS

Community Infrastructure Levy (CIL) Officers: Comment that CIL Liability is not calculated at outline application stage. However, the development will be CIL Liable on approval of the final reserved matters application (if approved). At present, if the final reserved matters application is approved, based upon this outline application information, this development will be subject to the CIL Charge for All Other Uses' as listed in Chorley Councils CIL Charging Schedule.

Euxton Parish Council: No comments have been received.

Astley Parish Council: No comments have been received.

Waste & Contaminated Land: The site is regarded as low risk so there is no need for any further investigation.

Lancashire Highway Services: See body of report.

Lead Local Flood Authority: Has no objection to the proposed development subject to the inclusion of conditions and consideration of the comments provided.

Regulatory Services - Environmental Health- Have confirmed that they no objection or comments to make at this stage of the application.

Council's Tree Officer: Has commented that the proposed vehicular access from the field to the east of the site is well sited to minimise the negative impact to the trees. The line of trees along the eastern boundary has high amenity value. They have recommended that these trees are retained and afforded suitable protection above and below ground during construction. Some of these trees are legally protected by TPO and some are not. Digging and piling of soil within the root protection area of TPO trees has already taken place.

Environment Agency: Have confirmed that the Council is not required to consult them on the application.

Highways England: Have no objection to the application.

Network Rail: With reference to the protection of the railway, Network Rail has no objection in principle to the proposal, subject to requirements they set out which may impact on the layout at any reserved matters stage or can be controlled by planning conditions.

United Utilities: The proposals are acceptable in principle to United Utilities subject to a condition.

Greater Manchester Ecology Unit (GMEU): Have no overall objections to the application on nature conservation grounds but state the site does support some ecological interest. They make recommendations about how to protect this ecological interest.

## **PLANNING CONSIDERATIONS**

### Background

The application is made in outline with all matters (except the access to the site) reserved for future determination.

Much of the site is open grassland although there is some hardstanding on the north portion of the site being used as a temporary works compound by Network Rail. The site is relatively flat but slopes gently down to the south east corner. There is a ditch on the east boundary. In the north east corner of the site is a small woodland and there are 11 no. trees protected by a Tree Preservation Order, mainly on the east boundary.

The application proposal would be accessed through the Strawberry Fields site to the east using a new signalised junction onto Euxton Lane approved for that site.

Although the application is made in outline apart from access, a Parameters Plan has been submitted for approval as part of the application (plan ref. 02-003). The plan defines the maximum parameters within which built development, alongside ancillary car parking and access routes is proposed. Areas that are set aside for green infrastructure are also defined, such as ecological mitigation areas, protected woodland and landscaped buffers.

An illustrative Masterplan has also been provided to indicate how development may be accommodated on the site, though this would not be an approved plan if the application was approved. The accompanying Design and Access Statement also provides a demonstration of the potential development capacity of the site, for illustrative purposes only, through the production of two alternative layouts. One scenario anticipates that the site could accommodate a mix of B1 (office) and B1c or B2 (light or general industrial) uses. The alternative scenario presented is that no office development comes forward at the site, which would result in the potential for the site to accommodate B1c or B2 (light or general Industrial) uses. The exact mix of uses would be defined at any reserved matters stage.

### Principle of the development

As set out in the National Planning Policy Framework (the Framework) the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.

Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):

a) **an economic objective** – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

b) **a social objective** – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible

services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and

**c) an environmental objective** – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.

At the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).

For **decision-taking** this means:

- approving development proposals that accord with an up-to-date development plan without delay; or
- where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
  - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Paragraph 80 of the Framework covers Building a Strong Competitive Economy and states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.

The proposal is located within the settlement boundary of Chorley, as defined by policy V2 of the Chorley Local Plan 2012-2026. Policy V2 explains that within the settlement area there is a presumption in favour of appropriate sustainable development subject to material planning considerations and the other policies and proposals within the plan.

Core strategy policy 9 identifies Chorley as an area for economic growth and employment.

Policy EP1 of the Chorley Local Plan 2012 - 2026 sets out the approach to employment allocations. The application is covered by allocation EP1.5 – North of Euxton Lane along with the Strawberry Fields site that is currently under construction to the east (13.1ha in total). This means that the site is allocated and protected for uses falling under Use Classes B1, B2 and B8. The development proposes employment use comprising office (Use Class B1), light industrial (Use Class B1) and general industrial (Use Class B2) and, as such, fits within the specifications of the allocation.

Policy EP1.5 also states that the Council will require a masterplan or development brief for proposals on this site. A Parameters Plan has been submitted with the application setting out the position of uses on the site and the scale of the buildings (heights etc.) which if acceptable could be controlled by a condition.

The proposal is considered to comply with the above policies and, therefore, is considered acceptable in principle.

Policy EP3 of the Chorley Local Plan 2012 - 2026 is also relevant, setting out the development criteria for business and industrial development. This explains that proposals for new business, industrial and storage and distribution uses will be permitted if they satisfy the following criteria:

- a) they are of a scale and character that is commensurate with the size of the settlement;
- b) the site is planned and laid out on a comprehensive basis;
- c) the proposal will not prejudice future, or current economic activities within nearby areas;
- d) the proposal will not cause unacceptable harm e.g. noise, smells to the surrounding uses;
- e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;

- f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;
- g) open storage areas should be designed to minimise visual intrusion;
- h) adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping
- i) on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;
- j) the development makes safe and convenient access provision for people with disabilities;
- k) the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;
- l) the proposal will not result in surface water, drainage or sewerage related pollution problems; and
- m) the proposal incorporates measures which help to prevent crime and promote community safety.

Matters that are relevant to this outline application are considered below, other details would be assessed at any reserved matters stage.

#### Highway safety

Access to the site is applied for in full as part of the application.

Access into the site is currently via an existing field gate on Euxton Lane to the south, and via Alker Lane to the west, which is a road under private ownership that currently serves the Network Rail compound at the northern end of the site.

The Framework states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment. Plans and decisions should take account of whether:

- the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure;
- safe and suitable access to the site can be achieved for all people; and
- improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.

The access to the site would be via an internal spine access road running through the Strawberry Fields site to the east which would be extended into the application site. The spine road is to be accessed via a new signalised junction with pedestrian crossing onto Euxton Lane which already benefits from planning permission.

Policy EP3 of the Chorley Local Plan 2012 - 2026 sets out the criteria for business and industrial development. In terms of highway safety it states such sites should have adequate access that would not create a traffic hazard or have an undue environmental impact, will be well served by public transport and provide pedestrian and cycle links to adjacent areas.

A Transport Assessment and Interim Travel Plan accompany the application.

Highways England and Lancashire County Council Highways (LCC) have both been consulted on the application. Highways England in terms of the impact on the strategic road network and LCC in relation to the local road network.

Highways England originally recommended that the application not be approved until further assessment took place. Further information has been provided and extensive discussions have taken place between the agent and Highways England. Following this they now have no objection to the application.

LCC Highways have raised a number of issues and made a number of requests in relation to the application that they consider are necessary to make the development acceptable and state approval of the application is not recommended at this stage without them. Each of their requests and an assessment of them are set out below.

LCC Highways state that the accident analysis in the Transport Assessment submitted was based on a 3-year period from 2015-2017, which was not the most recent available data, as a result, a number of recorded accidents have been missed leading to only 5 accidents being taken into account instead of 18 (including 3 serious accidents) on the section of the B5252 Euxton Lane to the A6 Preston Road. This level of accidents on an approximately 1km length of road is high and concentrated and does not compare favourably with local average and likely to be exacerbated by the proposed development given the already high ratio of pedestrians to vehicles and the presence of a hospital. It would therefore have been more appropriate to have established the current personal injury accident records for the most recent 5-year period.

LCC Highways state that the latest accident analysis of the period 2014-2018 in the applicant's letter of 20 May 2019 is noted, however, for the reasons given above, the conclusion that there is no 'existing safety issues that is likely to be exacerbated by the proposed development' is unacceptable. Therefore, they state that the applicant should put forward a proposal towards ameliorating the spate of traffic accidents on this section of Euxton Lane. They state this information should be provided prior to commencement of development and this can be controlled via a planning condition and Section 278 agreement. This is proposed

LCC Highways advised that the opening of Alker Lane bridge over the railway as a link for pedestrians is important in delivering sustainable outcomes of both the Digital Health Park and the Alker Lane developments without which there is risk of the developments becoming isolated from the wider community.

Attempts were made when the Group 1 development on the west side of Central Avenue, Buckshaw Village was built to open up this bridge as a pedestrian link but was not successful despite best endeavours. However, the Council are currently in negotiation with BAe Systems as the owners of Alker Lane, the Bridge and the connection to Buckshaw Avenue to acquire this land. Subject to successful negotiation it is the intention of Chorley Council to open this route as a pedestrian and cycle link from Euxton Lane to Buckshaw Avenue. The comments of LCC Highways regarding this bridge are noted and it is agreed this would improve the sustainability of the current proposal, however it is clear that the council is already involved in negotiations regarding the opening of this bridge outside the planning process and, therefore, it is not considered necessary to secure it through this application.

Improvements to pedestrian/cycle routes to south of Euxton Lane are requested by LCC Highways, however they do not detail which routes need improving or how. It is, therefore, not considered that this requirement is precise enough and it would not meet the tests for planning conditions set out in Paragraph 55 of the Framework.

The cycle land on the north side of Euxton Lane from the West Way direction currently ends at Badgers Walk opposite the application site. The outline application for the Strawberry Fields site secured an extension to this up to the cul-de-sac known as Strawberry Fields. There is then a gap between the cul-de-sac and the A6 Preston Road roundabout and LCC Highways request that this is now secured. However, this was not requested during the Strawberry Fields application and the section now requested to be upgraded is further to the east. It is not, therefore, considered a reasonable request and directly related to the development now applied for considering this was not requested at the time of the Strawberry Fields application which it is closer to.

Improvements to the standard of the two bus stops to the east and west of Alker Lane are requested that would be accessible via the indicative pedestrian link shown on the Parameters Plan. A planning condition is proposed in relation to this and they would be secured via a s278 agreement with Lancashire County Council.

LCC request a Full Travel Plan for the site is developed along with a contribution of £6000 towards its support, promotion, monitoring and evaluation to be provided via a Section 106 agreement. It is considered that development of a Full Travel Plan is necessary for a development of this size and this can be secured by a planning condition. It is not considered that the contribution of £6000 would meet the relevant tests as the Travel Plan and its implementation could also be a requirement of a condition.

Immediately in front of the two residential properties Brookfield and Ingholme to the south west of the site is a small lay-by which forms part of the adopted highway. Objectors have raised this as an issue as they are concerned about a 'potential pedestrian/cycle access' shown on the Parameters Plan as its location may encourage day long parking in the lay-by which they state would cause inconvenience to the residents. For these reasons they ask for consideration of siting the pedestrian access further to the east away from the residential properties.

To respond to this, the pedestrian/cycle access link is only shown on the Parameters Plan as 'potential'. Its final position, if one is proposed, would be agreed at any reserved matters stage. A condition is proposed requiring full details to be provided at this stage (if one is proposed).

Therefore, some of the measures/requests made by LCC Highways are considered necessary and these have been incorporated into the proposed recommended conditions and would be secured through a Section 278 agreement with the County Council. Other issues are either being secured outside the planning process or are not considered to meet the necessary tests to be secured. The proposal is considered acceptable in highway terms subject to the measures secured.

#### Reserved matters

As stated previously the application is only made in outline, apart from the access point, the other matters are not for consideration as part of this application. The Council must however be satisfied that what is applied for could satisfactorily be achieved on site if outline permission was granted and this is assessed below.

#### Layout and ccale

A Parameters Plan is submitted (which would be an approved plan if the application was approved) which identifies the heights of buildings on different parts of the site as well as open spaces, retained woodland and ecological mitigation. An illustrative Masterplan is also provided but this is for information only and would not form part of any approved plans.

The Parameters Plan shows Class B1 and B2 uses across the site but set away from the site boundaries. A landscape buffer is shown of approximately 10m in width on the two sides of the application site that bound with the two existing residential properties of Brookfield and Ingholme. The buildings beyond the buffer would be restricted to two storeys/10m in height. It is considered together, the buffer and restriction in building height would ensure the development would not have an unacceptable impact on these two properties.

Taller buildings (three storeys/up to 15m in height) would be positioned further north on the site, closer to the railway line and away from the main road, Euxton Lane. These would not be positioned near any residential properties and this building height is, therefore, considered acceptable.

The lower building heights adjacent to Euxton Lane are considered appropriate to reduce the visual impact of the proposal and ensure the scale of the development does not dwarf the neighbour two storey houses.

#### Appearance

The appearance of the proposal is not applied for at this stage, but as per the Strawberry Fields site it is considered the most sensitive part of the site in terms of design is the area immediately to the east of the two existing dwelling Brookfield and Ingholme adjacent to Euxton Lane. The buildings on this part of the site are to be two storeys and it is considered an acceptable design could be achieved at any reserved matters stage.

### Landscaping including ecology and open space

In relation to trees and ecology in terms of the acceptability of the principle of the development, most of the site is grass land (apart from the north part used as a Network Rail compound), although a section in the north east corner is wooded. Other trees are confined to the boundaries of the site or immediately adjacent to the woodland. There is a transient small pond in the centre of the site.

Ecological surveys have been submitted and reviewed by the Council's ecological advisor.

A medium population of great crested newts is present off site, 50m to the west for which a detailed mitigation strategy has been produced. The Council's ecological advisor (GMEU) states that these measures are satisfactory and if implemented in full the conservation status of great crested newts is capable of being conserved and direct harm to newts is capable of being avoided. They recommend the mitigation strategy is made the subject of a condition of any permission granted. This would also help to protect other amphibians, small mammals and reptiles which may be present on the site. Implementation of the strategy would require a protected species licence to be obtained from Natural England.

GMEU state it is important that the developer is aware that the parts of the strategy which involve new and/or enhanced landscape features must be incorporated into a comprehensive Landscape and Habitat Creation and Management Plan which would need to be prepared as part of any reserved matters applications for the site. The Landscape and Habitat Creation and Management Plan must also include measures to protect, enhance or recreate other features of nature conservation interest of the site, namely broadleaved trees, watercourses and hedgerows. It is considered a Landscape and Habitat Creation and Management Plan can be the subject of a planning condition.

In relation to bats, three trees would need to be removed that have been identified as having some potential to support roosting bats (trees numbered T11, G11 and T13 in the 'TEP' ecology report). GMEU state that Reasonable Avoidance Measures should be employed during their removal to avoid causing any harm to bats. This can also be made the subject of a condition. As trees and woodland on the site have been shown to support high numbers of 'bat passes' during surveys, (an indication that these features are of value as a feeding resource for local bats), replacement planting could also be secured by a condition to replace lost habitats.

Other conditions are also proposed in relation to nesting birds to ensure no vegetation clearance required to facilitate the scheme is carried out during the optimum time of year for bird nesting (March to August inclusive) and as the invasive plant species Himalayan balsam has been recorded on the site, and it is an offence to cause this plant to spread in the wild, to ensure measures are implemented during ground clearance and construction works to avoid the spread of Himalayan Balsam.

An Arboricultural Assessment of the trees on the site has been submitted with the application. This details that the trees within and around the site are predominantly made up of young to mature alder and oak trees as well as middle-aged goat willows and hawthorns. A linear group of young to middle-aged native trees borders the north of the site. Within the residential property gardens to the south east are a mixture of young to middle-aged native, ornamental and fruit tree species. The woodland in the north east corner of the site (covering approximately 0.6ha of the site) comprises mostly middle-aged to mature broadleaf trees. There are eleven trees on the boundaries of the site that are the subject of a Tree Preservation Order (TPO 14 (Chorley) 2014). Ten of these trees are on the east boundary with the Strawberry Fields site, the eleventh is on the boundary with Alker Lane. They provide some screening to the site from the east.

The Parameters Plan provided with the application allows for the retention of nearly all the trees including the woodland area. The creation of the access into the site from the Strawberry Fields site to the east would involve the loss of Tree 11, an English oak and Group 11 made up of hawthorn, blackthorn and alder. However, both of these fall within Category C (low value including trees with limited merit or impaired condition) and, therefore, avoid the need to remove any trees of higher value. The council's Tree Officer agrees that the access is well sited to minimise the negative impact to the trees. T13 (category B) is the only tree that needs to be

removed due to its position near the centre of the site. The Tree Officer also notes that the line of trees along the eastern boundary has high amenity value and recommends these trees are retained and afforded suitable protection above and below ground during construction, some of these trees are protected by TPO and some are not. It is considered that all the significant trees are already suitably protected by the existing TPO. A condition requiring tree protection measures during construction is proposed.

The Parameters Plan shows that the development may encroach slightly on the western edge of the woodland in the north east corner of the site. The Arboricultural Assessment report shows that the woodland in this location is less mature than in other parts making this proposal more tolerable in terms of its potential influence on the wider woodland structure and function. The report recommends that an Arboricultural Impact Assessment is submitted with any reserved matters application to identify, evaluate and possibly mitigate the impacts on the trees on the site when the details of the scheme are known. A condition securing this is proposed.

A hedgerow (mainly hawthorn) runs from the residential properties of Brookfield and Ingholme along the southern boundary adjacent to Euxton Lane. It is envisaged that this would be retained as part of the development as it has been along most of the frontage to the Strawberry Fields site to which it appears as a continuation, but detailed landscaping would form part of any reserved matters application.

Subject to conditions the application is considered acceptable in relation to landscaping, ecology and open space.

#### Drainage and flooding

A Flood Risk Assessment and Outline Drainage Strategy have been submitted with the application. A Flood Risk Assessment is required as the site is over 1 hectare in size.

There are three types of flooding that may apply to the development:

- groundwater flooding (potential);
- surface water flooding to the site; and
- surface water flooding from the site.

No intrusive ground investigation work has been carried out on the site and, therefore, groundwater levels are not available. It has, therefore, been assumed there may be a risk of groundwater flooding and mitigation measures have been proposed. These include that at the detailed design stage, any floor level proposed should be above the maximum levels recorded and in the unlikely event of groundwater flooding, external ground levels across the site should fall away from the proposed buildings to ensure that flood water is routed safely away from the site. A condition is proposed that level details shall be submitted and approved to ensure the proposal complies with this requirement.

In terms of surface water flooding to the site, the site is in an area which is at very low to low risk of flooding from surface water. It is generally classed as being in Flood Zone 1. However, there is a narrow corridor that follows the ditch/brook running along the eastern boundary that varies in classification from low risk to high risk as a result of the restriction caused by the drain and culvert that crosses beneath Euxton Lane to the immediate south. The Outline Drainage Strategy, therefore, recommends mitigation measures in relation to this that include water compatible development such as open space and car parks are located within the high risk areas and that proposed external ground levels across the site should not be reduced below the existing. The Parameters Plan shows the high risk area to be left undeveloped as ecological mitigation and to maintain the existing trees. It is, therefore, considered acceptable alongside the ground levels on the site also being submitted for approval.

In relation to surface water flooding from the site, drainage for the site has been considered in line with the Sustainable Drainage Hierarchy as set out in order of preference in the Planning Practice Guidance:

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.

Infiltration is confirmed as being unviable for the site. However, discharge to a surface water body is proposed as the site benefits from having an ordinary watercourse (ditch/drain) along the eastern boundary. Surface water would, therefore, discharge into this drain at a controlled rate which would require attenuation measures being incorporated on site. The exact make-up of the attenuation storage would be developed during the detailed design of the site. A detailed drainage scheme can be controlled by a planning condition. The proposal is, therefore, considered acceptable in terms of the drain hierarchy above.

The Lead Local Flood Authority (LLFA) have no objection subject to conditions that the development is carried out in accordance with the submitted Flood Risk Assessment and proposed mitigation measures (this is also requested by United Utilities); that a detailed surface water drainage scheme shall be agreed and details of appropriate management and maintenance for the sustainable drainage system are agreed. They also request a condition requesting how surface water and pollution prevention would be managed.

The application is, therefore, considered acceptable in relation to drainage and flooding subject to conditions.

The comments made by neighbours in relation to sewage are noted. They state that there is a filter bed to the septic tank system that serves the residential properties of Brookfield and Ingholme on the application site. The septic tank is located in the garden of Ingholme and drains over the southern part of the application site via the filter bed. They ask if this has been considered.

The LLFA have noted these comments in their response and have advised that this suggests that there may be an unidentified discharge pipe located in the southern part of the proposed development site. They request, therefore, that the applicant identifies the current location of the unidentified pipe to ensure that it is appropriately accounted for and considered in the sustainable drainage design for the development proposal. Details of how this would be dealt with can be required through the condition requiring details of the drainage scheme to be approved.

#### Employment skills

The Central Lancashire Employment Skills Supplementary Planning Document (SPD) (September 2017) requires an applicant to submit an Employment Skills Statement in association with certain types of development. This includes (with the exception of outline applications) development which exceed the thresholds of housing developments 30 units and 1,000sqm commercial floorspace. The SPD has been driven by the authorities' aspiration to see additional benefits (known as social value) incorporated into their housing and other development opportunities. The SPD provides planning guidance in relation to the preparation of the Employment Skills statements which supports the implementation of Core Strategy Policy 15: Skills and Economic Inclusion.

For the purpose of this SPD commercial use includes Class B1 business and B2 general industrial uses as applied for in this application. As the development is over 1,000sqm, an Employment Skills Statement would be required with any future reserved matters application or prior to a certain stage of the development if approved. This can be controlled by a condition.

#### Community Infrastructure Levy (CIL)

CIL Liability is not calculated at outline application stage. However, the development would be CIL Liable on approval of the final reserved matters application (if approved).

At present, if the final reserved matters application is approved, based upon this outline application information, this development will be subject to the CIL Charge for All Other Uses' as listed in Chorley Councils CIL Charging Schedule.

### Ground contamination

A Ground Risk Assessment has been submitted with the application which concludes that the site represents a low risk with respect to contaminated land liability issues. This report has been reviewed by the council's contaminated land officer and they agree that the site is low risk so there is no need for any further investigations or planning conditions.

### Railway line

The site bounds with the Blackpool to Manchester railway line to the north so Network Rail have been consulted on the application. They have no objection to the subject to conditions. These are proposed.

### Sustainable resources

Policy 27 of the Core Strategy requires new buildings to meet minimum energy efficiency standards of 'Very Good' under BREEAM (Building Research Establishment's Environmental Assessment Method). The applicant has been made aware of this as it will need to be incorporated when the buildings are designed at reserved matters stage. A condition is proposed controlling this.

### Other matters

A number of matters have been raised by objectors. Those not already covered in the above report are responded to below.

A buffer zone is planned between the proposed buildings and the closest residential properties. This is as shown on the Parameters Plan at between 12m and 13m and is considered sufficient to ensure the development would not have an unacceptable impact on these properties.

In terms of whether trees would be planted in the buffer zone and who would maintain it, landscaping is not covered by this application as it is a reserved matter, but it is envisaged that this would be the case. It would be down to the site owner to maintain it or get someone to on their behalf.

In relation to fencing details this would also be required at reserved matters stage or prior to installation, but it is considered that acceptable boundary treatments could be achieved. This is also the case for noise and light pollution and the positioning of windows as these details are not for consideration at this stage as it is an outline application. It has however been concluded above that given the offset between the buildings and nearest residential properties, and the restriction in their height to no more than two-storey/10m, that the scheme, subject to final details being acceptable (which would include the location of any windows) would not have an unacceptable impact on the neighbouring properties. A condition regarding details of any lighting scheme is proposed.

## **CONCLUSION**

The application is considered acceptable in principle as are the full details of the access point from the Strawberry Fields site to the east. In terms of details it is considered that an acceptable scheme can be achieved at reserved matters stage and the application is recommended for approval.

**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. Either with each reserved matters application or prior to commencement on site a Construction Method Statement shall have been submitted to, and approved in writing by, the

local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- the parking of vehicles of site operatives and visitors
- hours of operation (including deliveries) during construction
- loading and unloading of plant and materials
- storage of plant and materials used in constructing the development
- siting of cabins
- the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- wheel washing facilities
- measures to control the emission of dust and dirt during construction
- a scheme for recycling/disposing of waste resulting from demolition and construction works

*Reason: In the interests of highway safety and to protect the amenities of the nearby residents.*

2. Any reserved matters applications on the site shall be in accordance with the approved Parameter Plan submitted with the application.

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

3. Employee baseline surveys shall be completed once any of the buildings first become occupied. An employees travel survey shall have been carried out within 3 months of 75% occupation of the buildings hereby permitted and a Full Travel Plan shall have been submitted for written approval of the Local Planning Authority within 3 months of the commercial travel surveys, whichever is the earlier. As a minimum, the Full Travel Plan shall include:

- i) The contact details of the Travel Plan Co-ordinator (s) for both the residential and commercial elements of the site including whether they will be part or full-time and how long they will be in post;
  - ii) The results of the residents' travel survey;
  - iii) Details of cycling, pedestrian and public transport links to and through the site;
  - iv) Details of the provision for cycle parking for any properties where suitable space is not available within the curtilage;
  - v) The Objectives of the plan;
  - vi) SMART (Site specific, Measurable, Achievable, Realistic and Time-related) Targets for non-car modes of travel using baseline data from the residents' survey;
  - vii) A detailed action plan for the introduction of the proposed measures, including marketing and promotion;
  - viii) Details of the arrangements for monitoring and review of the Travel Plan for a period of at least five years;
  - ix) A review of both national and local policies relating to travel plans and sustainable travel.
- The Travel Plan shall be implemented as approved.

*Reason: To maximise the sustainability of the development.*

4. The drainage for the development hereby approved, shall be carried out in accordance with the Flood Risk Assessment (Ref No. 068731-CUR-00-XX-RP-D-001 Version 3, Dated 03 January 2019) and the mitigation measures detailed in Section 5. No surface water will be permitted to drain directly or indirectly into the public sewer. Any variation to the discharge of foul shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development. The development shall be completed in accordance with the approved details.

*Reason: To reduce the risk of flooding to the proposed development and future occupants.*

5. No development approved by this permission shall commence until a scheme for the disposal of foul waters for the entire site has been submitted to and approved in writing by the Local Planning Authority including a timetable for implementation including any phasing. The development shall be completed, maintained and managed in accordance with the approved details.

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding. This is required to be a pre-commencement condition to ensure a satisfactory foul water drainage scheme is proposed for the site before any development commences.*

6. No part of the development hereby approved shall commence until a scheme for the construction of all the off-site highway works referred to below have been submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of any part of the development these works, as approved, shall have been completed.

- Details of measures to mitigate traffic accidents on Euxton Lane between West Way and Preston Road;
- Details of improvements to the two bus stops on Euxton Lane closest to its junction with Alker Lane (one east bound and one west bound).

*Reason: To ameliorate traffic accidents on this section of Euxton Lane and to ensure the nearby bus stops are brought up to the standard that meets the needs of the disabled and those with mobility impairments to improve the sustainability of the site. This is required to be a pre-commencement condition in order to satisfy the Local Planning Authority that the final details of the highway scheme/works are acceptable and achievable before work commences on site.*

7. Any vegetation clearance required by the scheme should be carried out outside of the optimum period for bird nesting (March to July inclusive), unless an appropriate walkover survey is undertaken that concludes that no breeding birds, active nests, eggs or fledglings are present in the area to be cleared has been undertaken.

*Reason: All wild birds are protected under the Wildlife and Countryside Act 1981 (as amended) while they are breeding.*

8. Any buildings over 500m<sup>2</sup> shall be constructed to achieve a minimum Building Research Establishment (BREEAM) standard of 'very good'. Within 6 months of occupation of each building or phase a 'Post Construction Stage' assessment and a Final Certificate shall be submitted to the Local Planning Authority certifying that a BREEAM standard of 'very good' has been achieved for that building or phase.

*Reason: In the interests of minimising the environmental impact of the development.*

9. Prior to the commencement of development, or with the submission of any reserved matters, a plan indicating the phasing of the proposed development shall be submitted to and approved in writing by the Local Planning Authority.

- (a) Before development is commenced on any one phase of the development details of all 'Reserved Matters' pertaining to that phase, (that is any matters in respect of which details have not been given in the application and which concern the appearance, layout, scale and landscaping of the building(s) to which this permission and the application relates) shall be submitted to and approved in writing by the Local Planning Authority.
- (b) An application for approval of all 'Reserved Matters' must be made not later than the expiration of five years beginning with the date of this permission.
- (c) The development to which this permission relates must be begun not later than two years from the final approval of the Reserved Matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

*Reason: (a) This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995: (b) & (c) These conditions are required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*

10. An Employment Skills Statement in accordance with the Central Lancashire Employment Skills Supplementary Planning Document (September 2017) shall be submitted with any reserved matters application or prior to commencement on site.

*Reason: To ensure social value is incorporated into the development.*

11. As part of any reserved matters application or prior to the commencement of any development the following details shall be submitted to, and approved in writing by, the Local Planning Authority.

1. Surface water drainage scheme which as a minimum shall include:

- a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;
- b) The drainage scheme should demonstrate that the surface water run-off must not exceed the existing greenfield rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed;
- c) Flood water exceedance routes, both on and off site;
- d) A timetable for implementation, including phasing where applicable;
- e) Site investigation and test results to confirm infiltrations rates;
- f) Details of water quality controls, where applicable;
- g) Identifies any filter bed and discharge pipe associated with the septic tank serving the houses known as Brookfield and Ingholme and how they will be dealt with as part of the drainage for the site.

The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

*Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site; to reduce the risk of flooding to the proposed development, elsewhere and to future users; and to ensure that water quality is not detrimentally impacted by the development proposal.*

12. No development shall commence until details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development have been submitted which, as a minimum, shall include:

- a) The arrangements for adoption by an appropriate public body or statutory undertaker, management and maintenance by a Management Company
- b) Arrangements concerning appropriate funding mechanisms for its on-going maintenance of all elements of the sustainable drainage system (including mechanical components) and will include elements such as:
  - i. on-going inspections relating to performance and asset condition assessments
  - ii. operation costs for regular maintenance, remedial works and irregular maintenance caused by less sustainable limited life assets or any other arrangements to secure the operation of the surface water drainage scheme throughout its lifetime;
- c) Means of access for maintenance and easements where applicable.

The plan shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the sustainable drainage system shall be managed and maintained in accordance with the approved details.

*Reason: To ensure that appropriate and sufficient funding and maintenance mechanisms are put in place for the lifetime of the development; to reduce the flood risk to the development as a result of inadequate maintenance; and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system. This is required to be a pre-commencement condition to ensure a suitable scheme for maintenance can be achieved.*

13. No development shall commence until details of how surface water and pollution prevention will be managed during each construction phase have been submitted to and approved in writing by the local planning authority.

*Reason: To ensure that the construction development does not pose an undue flood risk on site or elsewhere and to ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies. This is required to be a pre-commencement condition to ensure all phases, including initial site works are acceptable in this respect.*

14. The development shall be carried out in accordance with the submitted Great Crested Newt Mitigation Strategy produced by TEP (ref: 7022.006 dated July 2018).

*To ensure the conservation status of great crested newts is capable of being conserved and direct harm to newts is capable of being avoided.*

15. The landscaping details submitted at reserved matters stage shall include a Landscape and Habitat Creation and Management Plan. This shall include measures to protect, enhance or recreate features of nature conservation interest of the site, namely broadleaved trees, watercourses and hedgerows and those features required by the Great Crested newt Mitigation Strategy by TEP (ref: 7022.006).

*Reason: To ensure nature conservation is enhanced on the site and the status of great crested newts is maintained.*

16. Any trees shown to be removed in the application shall be removed using Reasonable Avoidance Measures to avoid causing any harm to bats.

*Reason: To avoid harm to bats.*

17. Prior to commencement on site a scheme for the control of Himalayan balsam shall be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved scheme.

*Reason: Himalayan balsam has been recorded on the site. It is an offence to cause this plant to spread in the wild. This is required to be a pre-commencement condition as measures need to be implemented during ground clearance and construction works to avoid it spreading.*

18. Any reserved matter application for landscaping shall include an Arboricultural Impact Assessment (AIA). This shall identify, evaluate and propose mitigation for the impacts of developing the land on the existing tree resource on the site.

*Reason: To minimise the impact of existing trees on the site.*

19. Any reserved matters application for layout shall include the location and full details of a pedestrian/cycle access point from the site directly onto Euxton Lane.

*Reason: To ensure pedestrian and cycle permeability to reduce journey times from the site and maximise its sustainability.*

20. Either with any reserved matters application or prior to the occupation of any building, full details of the alignment, height and appearance of any fences and walls to be erected to the boundaries of that building and the boundaries of the site (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 before all walls and fences to the boundaries of that building have been erected in accordance with the approved details. Fences and walls to the boundary of the site shall be erected prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.*

21. Details of any external lighting to be installed shall be submitted to and approved in writing by the Local Planning Authority before any such installation is carried out. The installation shall then be implemented in accordance with these agreed details which shall then not be varied.

*Reason: To safeguard the amenities of the area and to minimise the possibility of inconvenience to nearby residents.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	33378-1 02-001 Rev B	10 January 2019
Indicative Access Layout	68731 CUR 00 XX DR TP 75002 P01	10 January 2019
Parameter Plan	33378-1 02-003 P2	10 January 2019
Access Road Culvert General Arrangement	068731 CUR 00 XX DR D 70002 P01	10 January 2019
Access Road Culvert Typical Details	068731 CUR 00 XX DR D 70003 P01	10 January 2019
Access Road Culvert General Arrangement	068731 CUR 00 XX DR D 70002 P01	10 January 2019

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

23. Prior to the commencement of construction of any of the buildings on the site, the section of access road as shown on plan ref: 68731 CUR 00 XX DR TP 75002 P01 shall have been constructed up to the east application boundary to at least base course level and shall be completed prior to occupation of any of the buildings.

*Reason: To ensure satisfactory access to the site is secured.*

24. Details of all external facing and roofing materials shall be submitted to and approved in writing by the Local Planning Authority either with any reserved matters applications or prior to the construction of each the buildings on the site. All works shall be undertaken strictly in accordance with the details as approved.

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

25. Either with each reserved matters application or prior to the laying of any hard landscaping on any phase of the site, full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before occupation of that phase of the development and thereafter retained.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.*

26. Any applications for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building finished floor levels, the details shall include any changes in ground levels, earthworks and excavations including those to be carried out near to the railway boundary (all relative to ground levels adjoining the site). The development shall only be carried out in conformity with the approved details.

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

27. Prior to any site clearance or soil stripping all trees and hedges to be retained shall be protected by 1.2m high fencing as specified in paragraph 8.2.2 of the British Standard BS5837:20012 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within areas to be fenced. All excavations within the areas so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained on the site.*