

Civic Offices
Union Street
Chorley
PR7 1AL

Date: 13 November 2019
Our Ref: 19/00654/OUTMAJ
Please ask for: Mr Iain Crossland

Gladman
Gladman House
Alexandria Way
Congleton
CW12 1LB

Planning Application

Dear Sir / Madam,

Proposal: Outline planning application 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

Location: Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton

Reference: 19/00654/OUTMAJ

Please find attached the Decision Notice in respect of the above application. The 'important notes' attached to the notice should be read carefully, they will help you to understand this decision, your rights and other things you may have to do.

Chief Planning Officer
Chorley Council

REFUSAL OF OUTLINE PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant:

Gladman
Gladman House Alexandria Way Congleton CW12 1LB

Application Number
19/00654/OUTMAJ

Date Received
8 July 2019

The Development:

Outline planning application 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

Location:

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

Chorley Borough Council (the Local Planning Authority) gives notice of its decision to **Refuse Outline Planning Permission** for the development for the following reason/s –

1. The proposed development would be located within an area of Safeguarded Land as defined by the Chorley Local Plan 2012 - 2026. The Council has a five year housing land supply as required by the National Planning Policy Framework. The proposal therefore conflicts with policy BNE3 of the Chorley Local Plan 2012 - 2026. It is not considered that the material considerations put forward in favour of the development are sufficient to outweigh the presumption against it.

Please Note: The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement of Paragraph 38 of the NPPF.

This decision has been made having regard to the policies of the Development Plan which comprises the Adopted Central Lancashire Core Strategy (2012) and the Adopted Chorley Local Plan 2012-2026 and all other relevant planning policy and guidance including National Policy (the Framework), supplementary planning guidance and supplementary planning documents and Corporate documents of the Council.

Signed:

Date: 13 November 2019

Chief Planning Officer, Chorley Council

Please read the notes attached to this notice carefully. They will help you to understand this decision, your rights and other things you may have to do. Further information is available at chorley.gov.uk/planning.

REFUSAL OF OUTLINE PLANNING PERMISSION

Important Notes

- 1 This decision is to refuse planning permission. To carry out any development without planning permission may result in legal action being taken by the Council.
- 2 You can appeal to the Secretary of State against refusal of permission by the Council. However, it may help to discuss the position with the Council officers first.
- 3 We aim to provide a fair and helpful service. Should you be unclear as to any aspect of this decision, wish to discuss the decision, are concerned that the application was not dealt with properly, or have any comments on the Council's planning services, please write to the Head of Planning or email contact@chorley.gov.uk quoting any relevant planning application number.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice **OR 12 WEEKS IF A HOUSEHOLDER APPLICATION**. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including person information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Inspectorate website.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
- If you intend to submit an appeal that you would like examined by Public Inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.