

<b>Item 2</b>	<b>08/00910/OUTMAJPermit (Subject to Legal Agreement)</b>
<b>Case Officer</b>	<b>Mrs Nicola Hopkins</b>
<b>Ward</b>	<b>Astley And Buckshaw</b>
<b>Proposal</b>	<b>Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works.</b>
<b>Location</b>	<b>Group 1 Euxton Lane Euxton Lancashire</b>
<b>Applicant</b>	<b>Mr Richard Culmer</b>
	<b>12 letters of objection have been received</b>
	<b>Consultation expiry: 1<sup>st</sup> October 2008</b>
	<b>Application expiry: 12<sup>th</sup> November 2008</b>

**Planning Applications**

1) 08/00910/OUTMAJ: Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Pending Consideration

2) 09/00095/FULMAJ: Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Pending consideration

<b>Proposal</b>	The application relates to the redevelopment of the final part of Buckshaw Village known as Group 1. Until recently this site was the last remaining part of the Royal Ordnance Factory which was still operational. Operations have recently ceased on the site and potential re-uses have been considered.
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The proposal incorporates an outline application for the mixed use redevelopment of the site which includes between 878-1,168 new residential units and up to 19,500 square metres of commercial floor space which will include B1 and B2 uses.

Although this site was not included within the original Masterplan for the Buckshaw Village development (Outline permission was granted for the Buckshaw Village development in 1997 and amended in 2002.) this site was always envisaged as part of the whole redevelopment of the former Royal Ordnance Site. The site is allocated with the Chorley Local Plan under Policy GN2 which relates wholly to the Royal Ordnance Site. The site as a whole is split between the administrative areas of South Ribble

Borough Council and Chorley Borough Council however Chorley Borough Council are leading on the application as the larger part of the site falls within the boundary of Chorley.

## **Summary**

This is a significant development with various elements for consideration, hence the length of this Committee report. In conclusion the two main issues which have resulted from the proposed development are the Ecological implications of the scheme and the highway implications.

In terms of Ecology the Ecologist at Lancashire County Council has concerns about the proposal which relate to the loss of assets of ecological value and inadequate mitigation measures to compensate for the losses. The site cannot be redeveloped without remediation which it has been accepted, by the Ecologist, will have an adverse impact on the ecological assets on the site

The proposals do incorporate mitigation measures to compensate for the adverse ecological impacts. The proposals will enable an inaccessible, unmanaged area of important woodland to be opened up to the public whilst being managed appropriately.

It is considered that the proposed remediation will enable the redevelopment of the site which, weighing the negative impacts against the positive impacts, on balance is considered to be acceptable. The proposed redevelopment of the site will contribute to sustainable economic development and will contribute to the creation of safe, sustainable, liveable and mixed communities with good access to jobs.

The main concerns of the Highway Engineer in respect of the highways related to the Central Avenue junction and the access onto the A49. The Highway Engineer subsequently accepted the staggered junction arrangement proposed to serve the site on Central Avenue but still wishes for members to be aware of his concerns, although this is not a formal objection, in respect of the A49 access. These relate to the need for an access which could act as a through route from Buckshaw Village increasing traffic volumes on the A49.

It is considered that an access onto the A49 will improve connectivity, which is one of the main principles of the Village development. Other options rather than an A49 access include creating a large cul de sac within the site or providing a loop back to Central Avenue through the Debut site. The first option is not preferable from an urban design perspective and the second option is not possible as the land required to link back to Central Avenue is outside the applicants ownership. Additionally the link road through the site connecting Central Avenue to the A49 will be designed to be as convoluted as possible to discourage traffic using this road as a through route.

The proposed redevelopment will enable the redevelopment of a brownfield site within a sustainable location and will secure that the Council has a rolling five year supply of housing within the Borough whilst providing an element of affordable housing. As such the proposals are considered to be acceptable.

## **Planning Policy**

### **National Policies:**

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG2, PPG13, PPG16, PPG17, PPG24

### **North West Regional Spatial Strategy (RSS):**

**Policy DP1:** Spatial Principles

**Policy DP4:** Make the Best Use of Existing Resources and Infrastructure

**Policy DP5:** Manage Travel Demand; Reduce the Need to Travel, and Increase Accessibility

**Policy DP7:** Promote Environmental Quality

**Policy RDF1:** Spatial Priorities

**Policy RDF4:** Green Belts

**Policy W1:** Strengthening the Regional Economy

**Policy W3:** Supply of Employment Land

**Policy L4:** Regional Housing Provision

**Policy L5:** Affordable Housing

**Policy RT9:** Walking and Cycling

**Policy EM1:** Integrated Enhancement and Protection of the Region's Environmental Assets.

**Policy EM2:** Remediating Contaminated Land

**Policy EM3:** Green Infrastructure

**Policy EM5:** Integrated Water Management

**Policy EM15:** A Framework for Sustainable Energy in the North West

**Policy EM16:** Energy Conservation and Efficiency

**Policy EM17:** Renewable Energy

### **Adopted Chorley Borough Local Plan Review:**

**GN2:** Royal Ordnance Site, Euxton

**GN5:** Building Design and Retaining Existing Landscape Features and Natural Habitats

**GN9:** Transport Accessibility

**DC1:** Development in the Green Belt

**EP2:** County Heritage Sites and Local Nature Reserves

**EP3:** Nature and Geological Sites of Local Importance

**EP4:** Species Protection

**EP5:** Wildlife Corridors

**EP9:** Trees and Woodland

**EP17:** Water Resources and Quality

**EP18:** Surface Water Run Off

**EP20:** Noise

**EP21:** Air Pollution

**HS4:** Design and Layout of Residential Developments

**HS5:** Affordable Housing

**HS6:** Housing Windfall Sites

**HS21:** Playing Space Requirements

**EM2:** Development Criteria for Industrial/ Business Development

**EM9:** Redevelopment of Existing Employment Sites for Non-Employment Uses

**TR1:** Major Development- Tests for Accessibility and Sustainability

**TR4:** Highway Development Control Criteria

**TR18:** Provision for pedestrians and cyclists in new developments

Statement of Community Involvement

**Local Development Framework:**

**Policy SR1-** Incorporating Sustainable Resources into New Development  
Sustainable Resources SPD  
Sustainable Resources DPD

**South Ribble Local Plan Policies:**

**D1:** New Development  
**QD1:** Design Criteria for New Development  
**QD4:** Crime Prevention  
**QD6:** Noise Sensitive Developments  
**QD7:** Landscaping in New Developments  
**QD10:** Personal Mobility  
**ENV3:** Protecting Other Sites and Features of Nature Conservation Interest  
**ENV4:** Protection of the Habitats of Wildlife  
**ENV6:** Wildlife Corridors  
**ENV7:** Protection of Trees and Woodlands  
**ENV8:** Trees and Development  
**ENV9:** Unstable or Contaminated Land  
**ENV20:** Flood Risk  
**ENV22:** Pollution  
**ENV24:** External Lighting and Development  
**T7:** Implications of Development for Non Trunk Roads  
**T8:** Traffic Management  
**T9:** Traffic Calming  
**T10:** Parking Standards  
**T11:** Cycling

**Interim Planning Policies:**

**HP2R:** Affordable Housing  
**HP6R:** Affordable Housing  
**HP4R:** Affordable Housing  
**H1R:** Housing Provision  
**H5R:** High Environmental Standards  
**OS1:** Open Space

**Planning History**

**97/00509/OUT:** Outline application for mixed use development (granted in 1999)  
**97/00660/CTY-** Erection of a landfill containment facility for the storage of contaminated soils and demolition material and associated land forming. Approved February 1998  
**02/00748/OUT:** Modification of conditions on outline permission for mixed use development  
**05/00017/CTY-** Variation of conditions 1, 3 and 4 of planning permission 9/97/660 to allow the importation of hazardous waste and to amend the phasing of landfilling and restoration at the existing landfill containment facility. Approved April 2005  
**07/01108/CTY:** Variation of condition 1 of planning permission 09/05/0017, extending the period of operations of the contained landfill facility by 3 yrs from 1/03/08 to 1/03/11. Approved by LCC January 2008  
**09/00058/CTY:** Construction of a landscape mound for recreational and nature conservation use, utilising surplus

excavation soils from the restoration of the site. Approved by LCC April 2009

**08/00645/FUL:** Erection of a bat house at Group One, Buckshaw Village. Approved

**08/01002/FUL:** Erection of a bat house at group one Buckshaw Village. Approved

**09/00084/FUL:** Erection of a bat house at group one, Buckshaw Village. Approved

**09/00095/FULMAJ:** Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Pending consideration

## **Representations**

12 letters of objection have been received in respect of the initially submitted scheme raising the following points:

- loss of countryside
- enough housing and commercial premises in the Borough already
- impact on wildlife
- noise and disturbance
- object to building on Green Belt
- impact by lorries using the A49
- smells already produced at the site
- loss of trees along the railway- no justification and any replacement trees need to be substantial
- extra traffic- impact on existing highways
- pollution
- impact on existing services- requirements for additional services
- Can more industrial development and housing be sustained in the current economic climate?

1 letter has been received not objecting to the scheme but has concerns about surface water drainage at the site.

1 letter has been received raising no objection to the scheme

Following the amended plans/ details the following objections were received:

- Loss of trees along the railway
- Noise created by tree felling
- Trees provide a buffer for noise created by passing trains
- There are enough housing and office developments
- Loss of privacy and overlooking

## **Consultations**

**Natural England** initially made comments in respect of bats, Great Crested Newts, birds, loss of habitat and woodland management

Following the receipt of the amended plans Natural England confirmed that their comments have been addressed and the application quantifies gains and losses. A licence is required for operations which affect protected species

**Lancashire County Council (Strategic Planning)** initially considered that the proposed development conformed with the Structure Plan and the proposed housing development forms a key element within a mixed use regeneration project which will

contribute to meeting district housing targets for affordable housing.

Following the amendments to the scheme the Acting Director of Strategic Planning and Transport still considers that the proposed development conforms with the provisions of the NW Regional Spatial Strategy

**South Ribble (Environmental Protection)** recommended conditions in respect of demolition and construction activities to minimise the air quality impacts, noise during construction and occupational stages and land contamination.

**Chorley & District Natural History Society** objects to the proposal as it will have major impacts on the Ancient Woodland and Biological Heritage Site.

**Lancashire County Council (Archaeology)** have commented that it needs to be ensured that the last surviving Group of the site is properly recorded. Recommend that archaeological works are secured through condition.

Following the receipt of the amended details the Archaeology Section's comments remain the same.

**Health and Safety Executive (HSE)** have commented that the probability of a major accident involving explosives is low however the consequences to the people at the development could be serious. However, there is an existing explosives facilities licence for part of the adjacent landfill site

Following the re-consultation the HSE reiterated their original comments.

**British Waterways** have no comments to make

**English Heritage** initially objected to the scheme in respect of the impact on the setting of the Listed Building and suggested some amendments.

Following the receipt of the amended plans English Heritage did not reiterate their objections and commented that the application should be determined in accordance with national and local planning policy.

**Chorley Borough Council's Conservation Officer** shared the same concerns as English Heritage and made some detailed comments which will be taken into consideration at detailed planning application stage.

**Lancashire County Council (Landscape)** has concerns that a landscape impact assessment has not been undertaken and there will be a large loss of landscape. They do consider that there is potential to develop the site however the amount of development proposed is not appropriate.

**Environment Agency** have recommended conditions in respect of remediation and contamination, the requirement for an Ecological Management Plan, surface water drainage and the

modifications to the existing water courses. They recommend that attenuation is achieved through SUDS

Following the receipt of the amended plans the Environment Agency no longer require a condition relating to contaminated land however alternative conditions have been suggested.

**The Highways Agency** have no objection to the proposals.

Following the amendments the Highway Agency still have no objection to the proposals.

**Lancashire Wildlife Trust** object to the proposal in respect of the impact of the proposals on the Biological Heritage Site, Great Crested Newts and connectivity, the impact on the woodland areas and flooding.

Following the reconsultation on the amended plans the Lancashire Wildlife Trust still maintain their objection although they have commented that the Outline Woodland Management Plan is adequate for purpose and is generally welcomed.

**United Utilities** have no objection to the development in principle subject to the submission of further requested information and various conditions/ informatives.

**Lancashire County Council (Highways)** have been involved in the redevelopment of this site since pre-application stage. The initial comments received from the Highway Engineer in respect of the planning application related to the proposed access junction to Central Avenue, bus stop provision, and questioning the need for and safety of the access onto the A49.

The Highway Engineer also made suggestions in respect of the Section 106 contributions which included the provision of a bus service to commence from date of first occupation and contributions to the railway station.

Following the comments made justification papers have been provided by the applicants appointed Highway Consultants. To these papers the Highway Engineer commented that LCC do not support the new priority junction on the A49 and recommended that a loop road to/from Central Avenue was considered.

In respect of the Central Avenue access junctions LCC's preference would be for a roundabout at Central Avenue however both the Traffic Signal and Safety Engineering teams have looked through the latest information and are willing to accept the proposed staggered junction, subject to some minor layout changes.

Concerns have been identified in respect of some of the junctions surrounding the site which will be affected by the traffic generated by this site.

The highway impacts will be addressed further on within this report.

**Lancashire County Council (Ecology)** initially objected to the scheme in respect of the impacts on the Biological Heritage Sites and Habitats of Principal Importance/BAP Priority Habitats, insufficient mitigation/compensation for habitat loss and other ecological impacts. In order to meet the requirements changes to the layout of the site are likely to be required and the extent of the developable area may be affected.

Following the amendments the Ecologist at Lancashire County Council still had concerns mainly in respect of habitat loss, the most significant impacts will result from the proposed remediation of the site and creation of a development platform.

To protect the Biological Heritage Sites the following mitigation measures were suggested :

- Establishment of buffer zones between the proposed development and the edge of the Biological Heritage Sites
- Implementation of an appropriate management plan
- Additional native planting between the damaged parts of the BHS and the development

In respect of protected species the Ecologist has made the following comments:

- It is unlikely that bat roosts will be affected by the proposed remediation work. Follow-up precautionary surveys are therefore recommended prior to felling.
- An outline mitigation strategy has been provided. This adequately demonstrates that detrimental impacts on the great crested newt population can be avoided. The submission of further details may be addressed by condition.

**Architectural Liaison Officer** no comments to make at outline stage

**Corporate Director (Neighbourhoods)** has no objection subject to a condition relating to contamination.

Following the amended plans the Corporate Director has confirmed that the proposed reclamation and remediation earthworks at the Group 1 site, Buckshaw Village, should be carried out in accordance with the Group 1 Remediation Strategy (Report Ref: B0031-02-R9-B).

**4NW** consider that the proposal is generally in line with RSS Policy DP4 and goes somewhat towards the Policy DP5 requirement that development be located so as to reduce the need to travel. They have commented that the scheme should be linked to existing services and they have no issue with the B1/B2 split, as long as the Council are satisfied. They consider that the level of housing delivery is appropriate taking into account the housing figures in the RSS and the growth point bid and have commented that it is important to protect the woodland and protected species.

## **Assessment**

### **Principle of Development**

The site is located to the south west of Buckshaw Village and forms part of the former Royal Ordnance Site. Until recently the site was still operational and is known as Group 1. The site was



formally occupied by a munitions factory and covers 54.34 hectares.

When the Royal Ordnance Factory was fully operational it occupied an area of 350 hectares. In 1997 following the progressive demise of the industrial industry a Masterplan for the whole site was developed. From this Masterplan a number of developments have occurred including Buckshaw Village which occupies the core of the factory site over, 170 hectares.

The redevelopment of Group 1 has always been envisaged however the site did not form part of the main Buckshaw Village Masterplan as it was, until recently, still operational. When the Chorley Local Plan was adopted in 2003 the whole of Buckshaw Village including this site was allocated under Policy GN2. Policy GN2 states that that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village.

In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land. As such the principle of redeveloping the site for accords with Government guidance

### **Development Proposals**

Through discussions with both Chorley and South Ribble Council, the agents for the application and the land owners, BAE Systems, the scheme has undergone amendments compared to the originally submitted scheme. The site will be split into three areas for development.

The area identified as M1 on the land use plan will accommodate a mixed use area. This site fronts onto Central Avenue and covers an area of 2.85 hectares. The non-residential component of this mixed use zone is limited to 20% of all floorspace which will include an element of retail. The retail development will be set to a maximum floor area of 1,000 square metres gross (which will be secured via condition) to ensure that the retail only serves local needs. The commercial floor space within the mixed use zone will have an overall yield of 2,500 square metres. Between 91-114 residential units will form part of the mixed use zone.

The areas identified as C1 and C2 on the land use plan will accommodate the commercial elements of the development and cover an area of 3.73 hectares. These parcels of land are located behind the mixed-use zone accessed off the main highway into the development via Central Avenue. The commercial elements have the potential to provide 17,000 square metres of B1 and B2 floor space. The uses will be split between 60% B1 Uses and 40% B2 Uses.

However through consultation with the Education Authority it has been determined that a 1.2 hectare piece of land within the site will be reserved for the provision of a one-form entry primary

school. This site will be located within the commercial area (area C2) and will be reserved up until 2 years following the occupation of the 600th property or 10 years, whichever is later. This time period will enable the education authority to assess whether an additional primary school for the whole village is necessary and provide them with an option for the land.

The remainder of the site will accommodate residential development split into 5 housing parcels (H1, H2, H3, H4 and H5). Parcel H1 (wholly within the administrative boundary of Chorley Council) will provide family housing and extends along the southern boundary of the site, which borders the railway line. This parcel covers 15.86 hectares and will accommodate 476-634 dwellings. Parcels H2, H3 (both within Chorley) and H4 (within the administrative boundary of South Ribble) are located within the woodland and will accommodate low density housing development. The three parcels cover 4.37 hectares of land and will accommodate between 90-135 dwellings. Parcel H5 is located wholly within South Ribble and covers an area of 7.13 hectares. The parcel will accommodate between 221-285 dwellings.

The changes to the scheme compared to the originally submitted scheme are set out in the table below:

Location	Original Gross Area (hectares)	Amended Gross Area (hectares)	Original Yield	Amended Yield
Commercial Zones C1 and C2	4.06	3.73	25,000 square metres	17,000 square metres
Mixed Use Zone M1 (commercial)	1.41	0.57	2,500 square metres	2,500 square metres
Mixed Use Zone M2 (housing)	5.63	2.28	225-285 dwellings	91-114 dwellings
Housing Zone H1	11.77	15.86	355-480 dwellings	476-634 dwellings
Housing Zones H2, H3 and H4	4.37	4.37	90-135 dwellings	90-135 dwellings
Housing Zone H5	7.51	7.13	230-300 dwellings	221-285 dwellings
Total	34.75	33.94	27,500 square metres 900-1200 dwellings	19,500 square metres 878-1168 dwellings

The table demonstrates that the land take area has decreased, the total number of dwellings has decreased and the total

amount of commercial floor space has decreased when compared to the originally submitted planning application.

### **Employment Land**

Due to the previous use of the site the site falls to be considered employment land and as such Policy EM9 of the Adopted Chorley Borough Local Plan Review and Policies W1 and W3 of the NW Regional Spatial Strategy are applicable. Policy EM9 states that Sites currently in employment use (or that were last used for employment purposes) which become vacant or are proposed for new development, will be assessed to determine whether they are particularly suitable to be re-used for employment purposes. However whether the site is suitable for mixed-use development will form part of that assessment.

The principle of mixed use development has been incorporated across the whole of the redevelopment of the Royal Ordnance Factory and this site is also considered to be appropriate for a mixed use development. The proposal incorporates an element of B1 floorspace and an element of B2 floorspace. The future uses envisaged within this element of the development are general offices, research and development facilities, high technology industries and light/ general industrial activities.

It is considered that the proposed mixed use redevelopment of this site is appropriate and ensures that an element of employment is retained on this former employment site. This element of the development will contribute to the economic development of the site contributing to further job creation on the whole of the former Royal Ordnance Site. As such the proposal is considered to be acceptable in respect of Policy EM9 and Policies W1 and W3.

### **Residential Development**

The main elements of the redevelopment proposals for the Group 1 site involve residential development. The residential elements of the site cover an area of approximately 29.64 hectares (of a site which is 54.32 hectares in total). The original concept behind the main Buckshaw Village development was to create a traditional village. The Masterplan proposals reflect a typical pattern of organic development which could have taken place over a long period of time. The Masterplan approach adopted as part of the original Village development has been incorporated into this development and Group 1 will form an extension to the village. Similarly to the main Village development Design Code(s) will be produced, and required by condition, which will set out the design principles for the various character areas within the site.

The redevelopment of Group 1 however has many more physical constraints than the original Buckshaw Village site which was a relatively flat vacant site following the remediation works. Group 1 is restricted in terms of development potential due to a large area of Biological Heritage Site (BHS) and Ancient Woodland in a central location on the Site. The impact of any development of these two areas is one of the main material planning considerations when assessing the impact of the proposals. Parcel H2, H3 and H4 are located within the BHS

The more sensitive residential parcels are the parcels located within the BHS due to their potential to adversely impact on the BHS. Within these parcels low density large detached dwellings will be incorporated to retain a open feeling and respect the interface with the BHS. Within these areas a maximum of 30 dwellings per hectare will be achieved. Higher density housing can be achieved in the other two residential parcels as they are less sensitive in respect of the BHS interface. Within these parcels a maximum density of 40 dwellings per hectare will be achieved. The mixed use zone will incorporate a high density residential development which is likely to consist of mews style dwellings. A maximum density of 50 dwellings per hectare will be achieved in this zone.

The Regional Spatial Strategy requires an annual average of 417 homes to be completed in Chorley and South Ribble each year, with at least 70% of those on brownfield land. National policy in PPS3 on Housing also requires the Councils to demonstrate a rolling five-year supply of deliverable housing land. The housing proposed on this brownfield site would therefore play a very significant role in helping the Boroughs to meet their annual housing provision targets, and would help to ensure that each Council can demonstrate a rolling five-year supply of deliverable housing land.

The principle of redeveloping the site for a mixed use scheme including residential development is considered to be acceptable on this brownfield site. The redevelopment of the site will contribute to the philosophy of the traditional village established for the main Buckshaw Village and involves the redevelopment of a Brownfield site which conforms with the Government objectives for appropriate development land.

### **Affordable Housing**

In accordance with Policy L5 of the Regional Spatial Strategy, Policy HS5 of the Chorley Adopted Local Plan and South Ribble's Interim Planning Policy HP2R a proportion of affordable housing is required as part of this development. This obligation will form part of the Section 106 Agreement associated with the development.

The development of the site, due to the size of the site and the extent of remediation required, will span over a 10 year period. In order to 'future proof' the site and to ensure that an adequate percentage of affordable housing is provided throughout the life time of the development it has been agreed, through the Section 106 negotiations, that 20% affordable housing will be provided for the first five years of the development (following the submission of the first reserved matters application) or 7 years from the grant of outline planning permission, whichever is earlier. Thereafter 30% affordable housing will be provided. This will be based on a tenure split of 70% rented accommodation and 30% intermediate accommodation and has the potential to be either provided on the Group 1 site or within Buckshaw Village itself depending on housing need at that time.

This approach ensures that a higher percentage of affordable housing will be provided during the later years of the development, which is likely to be in line with Planning Policy at

that time, and will encourage the developers to commence the development of this site early when the affordable housing requirement is 20%. This will ensure a sustainable brownfield site is developed and provide affordable housing within the Borough.

### **Biological Heritage Site and Ancient Woodland**

A large proportion of the site is designated Biological Heritage Site (BHS) and there is an element of this woodland designated as Ancient Woodland. There are two designated BHS' within the application site. Worden Wood lies to the north of Worden Brook and covers approximately 6.6 hectares within the site boundary (0.64 hectares of this BHS is located outside the site boundary). Buckshaw Wood and Grassland is also located within the site and is a designated BHS. This BHS covers approximately 10.2 hectares within the application site (0.41 hectares of this BHS lies outside the site boundary).

A further BHS lies approximately 500m to the west of the site, Holt Brow Wood and Foxhole Wood BHS. It comprises 5.24 hectares of woodland adjoining Shaw Brook. Buckshaw Brook and Worden Brook, which flow through the site, are tributaries of Shaw Brook and therefore this watercourse connects the habitats on the site to this BHS.

Worden Wood is ancient semi-natural woodland (listed on the Lancashire Inventory of Ancient Woodland) and is listed on Natural England's 'Nature on the Map' as an UK BAP (Biodiversity Action Plan) Priority Habitat.

The Biological Heritage Sites and Ancient Woodland occupy an area of 16.73 hectares within the application site. Due to the previous use of the site the application site has been inaccessible to the public for in excess of 60 years. As a consequence the BHS and Ancient Woodland have been unmanaged for a number of years. The presence of this woodland in a central location on the site is a significant constraint for the development of the site as in accordance with PPS9: Biodiversity and Geological Conservation planning decisions should be to prevent harm to biodiversity and geological conservation interests. Where granting planning permission would result in significant harm to those interests the Local Planning Authority (LPA) will need to be satisfied that the development cannot be reasonably located on any alternative sites which would result in less or no harm. In the absence of any such alternatives local planning authorities should ensure that adequate mitigation measures are put into place.

In accordance with Policy EM1 of the North West Regional Spatial Strategy schemes should ensure a 'step-change' increase in the region's biodiversity objectives by contributing to the delivery of national, regional and local biodiversity objectives and targets for maintaining extent, achieving condition, restoring and expanding habitats and species populations. Additionally Policy DP7 of the RSS requires that environmental quality be protected and enhanced by maintaining and enhancing quantity and quality of biodiversity and habitat. As such any loss of habitat will have to be mitigated for by providing extended habitat provision.

In addition to the designated BHS and Ancient Woodland there are also other habitats present on the site. These include an area designated as secondary woodland located along the southern boundary of the site adjacent to the railway. This area is relatively young woodland which is dominated by Birch trees and appears to have largely regenerated on former open land. There are areas of unmanaged grasslands present on the site and managed grasslands/ verges associated with the remaining buildings on site. The watercourses and waterbodies which flow through the site, Worden Brook, Buckshaw Brook and an existing reservoir, also provide valuable habitats.

As set out above a number of concerns have been raised by various statutory consultees and neighbours in respect of the loss of areas of woodland and the Biological Heritage Sites. Following the initial comments received and further discussions with the agents, applicants and Ecologist the scheme has been amended.

The amendments include reducing the size of Parcel H5 to restore existing operational land to woodland and a further block of structure planting to strengthen the north-south green corridor along the western margin.

The main issue in respect of the redevelopment of the site relates to the previous use of the site as a munitions factory and the subsequent remediation which needs to occur to facilitate the redevelopment of the site. The Ecologist accepts that there will be some unavoidable remediation work which will impact on the ecological value of the site. However when the application was submitted originally the Ecologist was concerned as it was difficult to distinguish between impacts resulting from unavoidable remediation work and other impacts that may be avoidable.

The BHS and Ancient Woodland have been assessed and classified as part of the remediation strategy for the site. These areas have been split into low, medium and high risk areas and the remediation of each part of the site is related to the classification for that part of the site. High risk areas are areas which were formerly subject to explosive processes. These areas require tree/ vegetation clearance followed by removal of surface soil and debris to a nominal 250mm confidence scrape. Medium risk areas are buffer areas adjacent to operational areas, mainly comprising of woodland. The remediation of these areas involves a limited confidence scrape on the fringes (nominally 15 metres buffer strip) adjacent to operational areas/ access routes of the site. Only ground vegetation and debris will be removed in these areas using the smallest form of mechanical plant that is practical. Established trees in these areas will be retained where possible. The remediation of low risk areas will involve a two stage non-intrusive clearance process which involves a full systematic visual search using 1000m grids. All located items will be recorded, surveyed and assessed to determine risk before being removed. A systematic instrument search will then be undertaken on the 1000m grid with ordnance detectors.

The rest of the site, which is not designated woodland, and was mainly occupied by former buildings/ hardstanding will be subject to a 250mm nominal confidence scrape.

The area of secondary woodland located along the southern boundary of the site with the railway line is classified as high risk due to the fact that raw explosive materials and completed munitions were transported by rail. This area of woodland covers 5.76 hectares which will all have to be removed as part of the 1000mm confidence scrape required in this part of the site. Residents on the opposite side of the railway have raised concerns with the loss of these trees mainly due to noise created by tree felling, loss of outlook and loss of privacy when the trees are removed. The removal of the trees is required however to bring the site back to a suitable standard for redevelopment. It is proposed to create a 3 metre high earth mound with a 10 metre wide belt of planting on top to replace the existing woodland and will form part of the gardens of the future residential dwellings. A condition will be attached to the recommendation requiring semi-mature planting along this boundary at an early stage in the development to provide the tree screen and enable the trees to be protected in the future. The site remediation will be undertaken in a phased process over three seasons (April to September). As such the tree planting buffer will also be implemented in a phased process. This will be secured via condition. Additionally these trees do not form part of the BHS and are not protected, as such the trees can be removed without requiring the submission of a tree works application

A large proportion of the BHS' (8.87 hectares of a total 16.73 hectares) is classified as low risk areas and will not require confidence scraping which ensures the continued protection of the vegetation and habitats. Areas defined as high risk within the BHS will require a confidence scrape and covers an area of 2.3 hectares. 5.56 hectares is classified as medium risk within the BHS' which also requires a confidence scrape.

To mitigate for the loss of Biological Heritage Site and woodland areas the following mitigation measures are proposed. The creation of habitats (approximately 3.20 hectares) within the site including a woodland strip along the railway, grasslands, ponds and trees. An area of land to the west of the A49 is planned to be managed for biodiversity and covers 2.54 hectares. The proposed biodiversity improvements on this area involve the creation of grassland, hedgerows and a pond. This area will also be a receptor area for the translocation of individual valuable plants, these will be translocated from the application site. Within the application site areas which require remediation will be restored following the required works. In total 5.85 hectares of BHS woodland and 0.75 hectares of non-BHS woodland will be restored to woodland. Approximately 14 hectares of retained and restored BHS will be managed as an amenity and ecological resource.

It is proposed to create a landscape recreational mound on the adjacent landfill site, this is subject to a separate planning application which has been assessed and approved by Lancashire County Council. The site covers 5.24 hectares and will include areas of woodland and grassland.

An area to the south of the railway is also proposed to be managed for biodiversity. The area covers approximately 3.2 hectares and it is proposed to replace amenity grassland, new tree planting, removal of non-native planting, include scrub planting within the tree planting areas, manage the mature woodland habitat, the existing pond would be managed for biodiversity with particular reference to Great Crested Newts which are present and a amphibian hibernaculum will be created adjacent to the woodland area.

Approximately 42.27 hectares of the whole site will be subject to a confidence scrape. This includes a confidence scrape within the BHS and woodland (approximately 7.86 hectares), confidence scrape of grass areas around existing buildings (approximately 9.10 hectares) and a 1000mm confidence scrape of the secondary woodland along the railway (approximately 5.76 hectares). Habitat loss as a result of remediation will also be in the form of loss of grassland and incidental woodland (approximately 5.15 ha) and the location of NEAP no 1 (approximately 0.58 ha). This equates to approximately 28.45 hectares, the remaining 13.82 hectares requiring confidence scraping are occupied by buildings and hardstanding.

The habitat loss as a result of the required remediation, as set out above equates to 28.45 hectares. The land secured for habitat management following remedial earthworks activities is 24.96 hectares. At the development stage there will be a further habitat creation of 3.20 hectares. As such the total of restored, enhanced and new habitat is therefore 28.16 hectares.

Following the Ecologists initial comments and the subsequent resulting amendments the Ecologist at Lancashire County Council still considers that in order to comply with the relevant Policies an increased area of replacement habitat would need to be created and this needs to be addressed before determination of the application to ensure that an adequate area of replacement habitat can be accommodated. PPS9 states that if harm to biodiversity cannot be prevented, adequately mitigated or compensated for, then planning permission should be refused.

The Ecologists concerns relate to the fact that the Ecological statement indicates that there would be 27.18 hectares of habitat loss as a result of the remediation work and that only 21.67 hectares of habitat would be created or restored. The remaining 9.47 hectares shown on the table refers to management of existing habitat. There would therefore be an overall loss in the extent of habitat. This does not comply with the requirements of the relevant Policies.

As set out earlier within the report Habitat creation proposals include the construction of a landscape mound for recreational and conservation use. The Ecologist has discussed this with the Development Control Planning Officers (who dealt with the application) at Lancashire County Council. The outcome of this discussion was that the Ecologist considered the application to Lancashire County Council as a separate matter and that habitats created on the landscape mound should not be considered as compensation for another development.



The Ecologists conclusions are that the area of replacement habitat should be significantly larger than the area lost. This is required to compensate for the loss of mature habitats and impacts on irreplaceable habitats such as ancient woodland soils. It is also important in safeguarding against failure of habitat re-establishment and in compensating for temporary habitat loss which may have significant impacts on associated species.

In response to these comments and the comments made by the Lancashire Wildlife Trust the agent for the application has made the following comments. Approximately half of the area of BHS within the application area requires high risk or medium risk confidence scrape, trees within medium risk areas will be retained wherever possible. Whilst it is acknowledged that the important woodland soils and ground flora will unavoidably be lost, the approach has been to retain important habitats wherever possible within the constraints of the required remediation. As these areas are planned for woodland restoration, to include new planting of native species, the retained trees will provide structure to this restored habitat.

The agent goes on to state that whilst there will be some recreational pressure, the current woodland structure is poor and can be enhanced with management. Losses due to remediation are unavoidable. Managed targeted access and restoration can sustain biodiversity interest and provide social benefits.

In respect of Planning Policy the agent states the thrust of planning policy is to ensure that avoidable impacts on nature conservation are minimised but where impacts are unavoidable to provide a reasonable level of compensation within the site or in the local area. This package includes provision of enhanced or replacement habitat on the site to secure long term nature conservation interests but this is within a framework of new development. The scale of new development that will be facilitated by the creation of development platforms at the site preparation stage is a response to a strong need to provide homes and employment in this sustainable location and to strengthen the overall structure of the urban village.

The main issue in respect of this planning application is the balance between re-use of the site and the ecological implications associated with reusing the site. As set out within Planning Policy Statement 1: Delivering Sustainable Development, Planning should facilitate and promote sustainable and inclusive patterns of urban and rural development by, making suitable land available for development in line with economic, social and environmental objectives to improve people's quality of life; contributing to sustainable economic development; protecting and enhancing the natural and historic environment, the quality and character of the countryside, and existing communities; ensuring high quality development through good and inclusive design, and the efficient use of resources; and ensuring that development supports existing communities and contributes to the creation of safe, sustainable, liveable and mixed communities with good access to jobs and key services for all members of the community

The site is allocated under Policy GN2 of the Adopted Chorley Borough Local Plan Review which is allocated for a mixed use village including employment development and community uses. The key to this approach is giving people an opportunity to live close to where they work and spend their leisure time.

Government advice contained in PPS9: Biodiversity and Geological Conservation refers to previously developed land and states that the re-use of previously developed land makes a major contribution to sustainable development by reducing the amount of countryside and undeveloped land that needs to be used. However where such sites have a significant biodiversity or geological interest of recognised local importance there should be aim to retain this interest and incorporate it into any new development on the site.

The designated Biological Heritage Sites and area of Ancient Woodland ensure that these areas have a significant biodiversity and geological interest. PPS9 does not restrict the redevelopment of such sites it just requires the areas to be retained. However due to the previous use of the site this has to be balanced against the remediation requirements.

Approximately half of the designated Biological Heritage Sites will be affected by the proposed remediation and a large area of the site, outside the BHS, will also require remediation which will result in the loss of grassland. The scheme, however, does incorporate proposed mitigation measures, as set above, to mitigate for any losses/ impacts. Additionally it is proposed to manage the retained woodland for the benefits of the future residents and the community as a whole

Due to the previous use of the site the existing woodland was inaccessible to the public. Additionally the woodland was never formally managed as an asset and it is clear that the area would benefit from active and suitable management. Both of these issues are a benefit to the woodland and the proposed redevelopment of the site as a whole which are a consideration when assessing this application.

Although the Ecologist does not consider that the adjacent landscape mound should form part of the mitigation for the impacts on the Group 1 Site the Planning Officers do consider that the two entities are interlinked. The purpose for creating a landfill facility on this site was to accommodate the material taken from the Royal Ordnance Site when the main Buckshaw Village was re-mediated. Without the redevelopment of the main Village there would have been no need for the landfill facility. The redevelopment of Group 1 is interconnected with Buckshaw Village and the redevelopment has always been envisaged to create a mixed use, sustainable village.

The time period for the use of the landfill facility has been permitted to be extended to enable facility to accommodate the re-mediated earth from Group 1. Once this time period expires there are conditions on the original permission requiring the site to be restored and landscaped. The proposals to create a landscape mound have been approved by Lancashire County Council. The County Council determined this application as they

are the Minerals and Waste Authority however if Chorley Council had minerals and waste authority the site would have been included within the Group 1 applications and considered as a whole.

The proposals for the landscape mound subsume the original restoration proposals for the landfill site and would ultimately result in greater areas of planting and subsequent habitat creation than the scheme previously approved. The applicant has provided a detailed outline of the proposals, however, Lancashire County Council will be requiring further details to be submitted by way of condition.

It is considered that as the landfill facility would not be required without Buckshaw Village and Group 1, the physical location of the facility in respect of Group 1 and the fact the facility ensures materials generated from Group 1 do not have to be transported off site ensures that the two site are interconnected and the proposed landscape mound can form part of the mitigation for the habitat and ecological implications of the Group 1 development.

The landscape proposals for the mound are over and above the original requirements for the site. The current proposals build on the 1997 permission and landscape proposals. However the current scheme uses native species. The total area of woodland and shrub planting is greater than the previous landscape scheme, 20,220 sq.m in comparison to 19,950 sq.m.

The majority of the proposed mitigation measures can be accommodated on land owned by BAE Systems however the proposed improvement measures to the south of the railway fall on land outside the applicants ownership. The land will be adopted by Chorley Borough Council eventually and as such the applicants are willing to enter into an legal agreement to provide a commuted sum for the improvements to the site which can be undertaken when Chorley Council adopt the site.

The proposed redevelopment of the site, subject to this application, cannot be achieved without the remediation and reclamation of the site. The redevelopment of the site will achieve the reuse of a brownfield site in a sustainable location. This will help to achieve the Council's housing targets (of 417 new dwellings per year for both Chorley and South Ribble) and will contribute to achieving at least 70% of new housing provision on brownfield land, both of which are set out within the North West Regional Spatial Strategy.

It is appreciated that the proposed remediation of the site will have an impact on ecology and habitats within the site. However, the remediation will enable the site to be redeveloped which will make a valuable area of woodland, previously inaccessible to the public, accessible which will be a valuable asset, will provide mitigation measures to compensate for the impacts and will ensure that a area of previously unmanaged woodland is managed and maintained appropriately.

Notwithstanding the Ecologists comments it is considered that active woodland management on this site will be a valuable

resource for this previously inaccessible, unmanaged area of woodland. The landscape mound should form part of the mitigation and as such the creation, restoration and management of the woodland compensates for the loss of habitat resulting from the remediation of this site.

It is considered that the proposed remediation will enable the redevelopment of the site which, weighing the negative impacts against the positive impacts, on balance is considered to be acceptable. The proposed redevelopment of the site will contribute to sustainable economic development and will contribute to the creation of safe, sustainable, liveable and mixed communities with good access to jobs.

### **Flora and Fauna**

Due to the nature of the site there are important flora and fauna species present on the site which will be affected as a result of the proposed development. This includes impacts on bats, breeding birds and amphibians.

Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- 1) the activity must be for imperative reasons of overriding public interest or for public health and safety;
- 2) there must be no satisfactory alternative and
- 3) favourable conservation status of the species must be maintained.

This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

In respect of this site the two European Protected Species which have been identified on the site are bats and Great Crested Newts. Ongoing decommissioning has recently occurred on the site which includes decontamination and demolition of the existing buildings on site. This process falls outside the planning system. Bat roosts have been found within buildings in the application area. However, a licence from Natural England has already been issued to allow the demolition of these buildings as a separate matter to this planning application. This matter therefore does not require further consideration as part of this planning application. There is planning permission for a bat house at the site to mitigate for the loss of bat roosts. This has been constructed and is in situ on site.

The other impact on bats as part of the proposed redevelopment of the site will be tree loss. Three of the trees which have been surveyed have the potential to impact on bat roosts and fall within areas requiring remediation. The loss of one tree (reference tree 39 within the survey) cannot be avoided as it is adjacent to the railway which is a high risk area. Two other trees (Reference 32 and 34) have the potential to support bat roosts. They are located with the area of BHS woodland which requires

a 250mm (medium level) confidence scrape however trees are planned to be retained in these areas and as such there trees should not be lost. Confidence scraping will lead to the loss of foraging habitats for bats. However given the abundance of other suitable roosting habitat in the BHS woodland and surrounding residential developments the remediation and earthworks are not considered to be a threat to the favourable conservation of bat species in the area.

Mitigation for the impact on bats include only felling trees identified as 'high bat risk' where absolutely necessary. If tree felling is required a check of the tree will be carried out prior to felling to establish level of bat use and a method statement for felling the tree will be produced. This will be secured via condition as part of the remediation application. Trees will be felled in Spring or Autumn when bats are least likely to be present. Contractors will be made aware of the possibility of bat presence and advised to stop work immediately to seek ecological advice if bats are found to be present (also secured through condition).

It is considered that due to the previous use of the site remediation is required from a public health and safety perspective. The tree survey identifies trees which have the potential to support bat roosts and these trees will only be felled where there is no other potential alternative. Suitable mitigation measures are proposed which will ensure that the presence of bats is maintained on the site.

The Ecologist at Lancashire County Council has made the following comments *it is proposed that one tree with the potential to support roosting bats will be felled. A bat survey has been undertaken and no evidence of roosting bats has been found in this tree. It is therefore reasonably unlikely that bat roosts will be affected by the proposed remediation work. However, bats may occupy suitable crevices at any time during their active season. Follow-up precautionary surveys are therefore recommended prior to felling. If new areas of contamination become apparent during works and additional trees need to be demolished, then bat surveys will be required if the trees affected have the potential to support roosting bats. Mitigation measures will need to be submitted for approval and implemented if bats are affected.*

In respect of the impact on amphibians there are two ponds on or within 250m of the site which are identified as supporting Great Crested Newts. The remediation and earthworks require confidence scraping within close proximity to these ponds. This involves a standard 250mm scrape in most areas however a 1000mm scrape is required close to one of the ponds. This method of remediation includes intrusive groundworks which could impact on amphibians. These ponds were also found to support smooth newt, common frog and common toad.

However the pond most affected by remediation is Pond 9 which is outside the application site, but close enough to be affected by remediation activities. There is a security fence around the site which will act as a partial barrier to the movement of amphibians.

In order for the population of Great Crested Newts to be maintained a Licence will be required from Natural England, this will include a mitigation strategy in respect of Newts. The Ecologist at LCC has commented that *two small populations of great crested newts will be affected by the proposed remediation work. An outline mitigation strategy has been provided. In my opinion this adequately demonstrates that detrimental impacts on the great crested newt population can be avoided.*

Both ponds supporting newts will be retained. A geo-textile fence will be affixed to the existing boundary fence to act as a newt barrier. Areas of suitable terrestrial habitat which are not separated from the ponds by the existing fence will be subject to a capture and exclusion program. This will be contracted under licence from Natural England. Amphibians will be translocated to suitable habitat away from the works area. Areas of suitable habitat separated by the security fence are considered to be low risk. These areas will be hand surfaced as a precaution immediately before work starts. Additionally six new ponds will be created as part of the mitigation strategy.

Similarly to the assessment of the impact on bats it is considered that due to the previous use of the site remediation is required from a public health and safety perspective. There are ponds present on/close to the site which will be retained as part of the development. Suitable mitigation measures are proposed which will ensure that the presence of Great Crested Newts are maintained on the site.

It is considered that the three 'derogation tests' have been met in respect of this development and the Council has fulfilled its duty by engaging with the Habitats Directive

In terms of breeding birds the main impact will be through loss of trees, scrub and grassland which provide nesting and foraging habitat. Proposed mitigation for impact on breeding birds include avoidance of vegetation clearance outside the bird breeding season (February until September), vegetation cleared within this season will be subject to a pre-clearance bird survey and no vegetation will be cleared within 5 metres of an identified nest until the young have left the nest.

Notable species of fauna have been identified within the application site, mainly in the south-westerly part of the site. The proposed remediation works have the potential to destroy these plants and as such they will be translocated away from the site to a receptor area to the west of the A49. Four areas within the site will be reinstated and new habitats will be created.

### **Highways and Traffic**

The proposed scheme involves the erection of over 1100 new dwellings and up to 19,500 square metres of commercial floor space. A development of this size will clearly impact on the surrounding highway networks and will create an increase in traffic. As such a Transport Assessment has been submitted as part of the planning application.

This report assesses the surrounding road networks and the impact of the increased traffic flows on the road networks and

affected junctions. The assessment also considers the proximity of the site to everyday facilities and the ease of accessibility using alternative means of transport.

The proposed development will incorporate a main access junction to the site on Central Avenue, which is the main highway link through Buckshaw Village, a road through the development and a junction onto the A49. The main access road through the site will link Central Avenue with the A49.

As set out above the Highway Engineer at Lancashire County Council has some concerns about the proposal. His concerns mainly relate to the proposed junction on Central Avenue to serve the development and the proposed highway link through to the A49.

In respect of the proposed Central Avenue junction it is proposed to incorporate a new staggered junction. When the application was originally submitted the Highway Engineer stated *that access to Central Avenue is proposed via a signalised four armed staggered crossroads junction to replace the existing three-arm roundabout. The access strategy effectively results in 3 junctions over a 200m section of road and is not good highway planning.* The Highway Engineer advised that the first preference for this junction would be for a roundabout at Central Avenue, but if not achievable, then a signalised crossroads.

Following these initial comments the Highway Consultants for the applicants provided justification papers for the proposed junction and set out why the other two alternatives suggested by the Highway Engineer would not be achievable. Having reviewed these papers the Engineer still considers that the original suggestions were preferential however the Traffic Signal and Safety Engineering teams at Lancashire County Council have looked through the latest information and are willing to accept the proposed staggered junction.

The Highway Engineer originally raised concerns about the proposed link through the development to the A49 and following the amendments to the proposal and the justification papers the Highway Engineer still has concerns in respect of this link. The Engineer is concerned as Central Avenue was constructed to divert traffic and public transport away from the A49. Following the opening of Central Avenue public transport has been diverted down Central Avenue.

The Highway Engineer has considered the justification papers. The rationale behind the introduction of a new access onto the A49 was primarily to open up the site to public transport and enable the site to be provided with a high quality bus service that was efficient to run and attractive to residents and employees. From a traffic routing and junction safety perspective the Highway Engineers did not support the new priority junction on the A49, however they do encourage the aspirations to encourage the use of public transport. As such the Highway Engineer suggested a restricted use access point to A49 in the form of a bus gate.

Following further revisions to the Technical Justification Paper in respect of the access onto the A49 the Highway Engineer has commented that *the rationale paper states that it enables the development at Group One to be fully integrated with its surroundings as the A49 link facilitates a movement route through the site which provides ease of access to a range of destinations. The Engineer is concerned that if the route is to provide a legible "key route" facilitating ease of access and a convenient connection then it is unlikely to also present a suitable discouragement to through traffic.*

The Highway Engineer also suggested alternative solutions to the proposed access removing a route through the site. Two alternatives were considered which included a loop to/from Central Avenue and a cul de sac arrangement within the site. The Highway Engineers recommended that the Highway consultants investigate these routes further. Improvements to the Debut site to accommodate buses would enable a loop road back to Central Avenue and the Highway Engineers considered that this route had the potential to facilitate linkage within the village and deliver the high quality of public transport expected. The appointed Highway Consultants addressed both of these alternatives with additional Technical Justification Papers.

A large cul-de-sac solution does not provide the most appropriate solution in terms of urban design and would not integrate well into the main Buckshaw Village development which promotes connectivity. A loop back onto Central Avenue may be achievable through Redrow's Debut site however this falls outside the applicants ownership and the road networks serving Debut are relatively narrow and inadequate to accommodate the traffic generation from a scheme of this size. As such the most appropriate solution is considered to be a link onto the A49. The main internal spine road will be implemented by BAE Systems, in conjunction with County Council as the Highway Authority, and the road will be designed to ensure that through traffic is not 'encouraged' through Group 1 and the most direct route into South Ribble will be via Central Avenue.

Lancashire County Council do not wish to object to the proposed junction onto the A49 but wish to make the Members aware of their concerns in this regard. The Highway Engineer has confirmed that *if your Councils are minded to accept the introduction of a new vehicular access to A49 then it should be designed a high-quality, high-profile junction with associated link road layout deliberately accommodating and catering for through traffic.*

As part of the main Buckshaw Village development new roads have been constructed, various junctions created, existing highway networks have been improved and improvements to existing junctions have been undertaken. These works have been ongoing for several years now and the majority of the improvements have been completed. As part of the transport assessment for this development all of the highway networks and junctions around the site which will be affected by this development have been surveyed.



The main concerns in respect of the existing junctions raised by the surveys relate to the junction at the Hayrick and the Central Avenue/ Dawson Lane junction. Suggested mitigation for these junctions include extension of the left turn lane (A49 southern arm) by lane remarking to the Hayrick Junction and marking out the existing right turn into Dawson Lane as shared ahead and right. Any changes to these junctions will be secured through a separate Section 278 Agreement with the Highway Authority.

The Pack Saddle Bridge junction is also a concern. The highway consultants working on behalf of the applicant have suggested a scheme to improve this junction however the Highway Engineer has concerns with the suggested solution. The bridge has been improved in the past to an extent. The Engineers preferred way forward in respect of this junction is to monitor the bridge for 2 years following first occupation in respect of vehicular and pedestrian activity. After this 2 year monitoring exercise LCC will review what can be achieved, and if a solution on the lines of enhanced signalling plus relatively minor civil engineering works can be achieved then S278 funds will be used to implement the work.

Plans have been submitted detailing the proposed junctions, including the Central Avenue junction, the proposals to the Hayrick junction, the proposals to the Central Avenue/ Dawson Lane junction and the A49 Junction. The Highway Engineer is satisfied that the plans are acceptable in principle drawings for planning approval purpose and the basis for the S278 Agreement.

The Highway Engineer has considered the impacts and the proposed mitigation measures. His conclusion is that Group 1 will cause problems on the existing network. To help mitigate these impacts the Network Manager is looking for the developer to help manage traffic and travel arising from Group 1 using sustainable methods with Intelligent Transport Systems. There are two themes; MOVA traffic signal control and Real Time Information systems. A final contribution for highway improvements will be secured through the Section 106 Agreement.

Pedestrian/cycle connectivity through the main Buckshaw Village site has always been an important element of the Village which will be mirrored as part of this development. The amount of pedestrian/ cycleways has been reduced on the site to avoid impacts on the BHS however ensuring connectivity through the site is still an important element and the emphasis now focuses on a east-west link. Additionally a pedestrian/ cycle link is proposed from the site under Central Avenue to connect the site to the Southern Commercial Area and the proposed railway station. Prior to the submission of any reserved matters application at the site a pedestrian connectivity/ concept plan will be required, secured via condition, to demonstrate how connectivity is achieved across the site and with the surrounding areas and to ensure that all dwellings proposed are in walking distance of a bus stop.

A plan has been submitted detailing proposed cycle lane upgrades along the west side of Central Avenue which were

requested by the Highway Engineer. The Highway Engineer has confirmed that the submitted plans detailing the proposed upgrades are acceptable in principle for planning approval purposes and the basis for the S278 Agreement.

### **Climate Change and Sustainability**

Due to the nature of the development the impact of the proposals on climate change, carbon emissions and sustainability is a material planning consideration. Following the adoption of Chorley Borough Council's Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document, both of which form part of Chorley's Local Development Framework, the provisions of Policy SR1 apply to this proposal. The Policy requires all new dwellings to achieve Code for Sustainable Homes Level 3 and above (dependent on when they are constructed) and that low carbon energy sources form part of the development which reduce the carbon emissions of predicted energy use by a minimum of 10%. As this application is an outline application this requirements will be dealt with via condition to be submitted at reserved matters stage.

The originally submitted Environmental Statement and subsequently submitted supplemental environmental information deal with the impact of the development on air and climate, noise and vibration, geology and soils, water, landscape and visual amenities, material assets and architectural/ archaeological heritage and there is a chapter dealing with sustainability issues.

### **Air Quality and Climate Change**

The main potential issues resulting from the proposals with regard to air quality and climate change include dust annoyance, increased traffic generation, the suitability of the site in terms of air quality and the impact of the development on carbon dioxide emissions. The report summarises that air quality across the area is generally good except close to the motorway. Dust annoyance and elevated particulate matter may occur at the Extra Care Retirement Village additionally dust annoyance may occur within 100 metres of the site boundary. However the significance of the impact from dust annoyance is predicted to be a moderate temporary adverse impact and the impact on short term particulate matter creation is predicted to be a minor adverse impact both of which will be temporary impacts.

Conditions will be attached to the recommendation requiring mitigation methods to be incorporated at the site to minimise dust and particulate matter creation.

### **Noise**

A noise and vibration assessment was originally undertaken at the site to assess the potential impact of the development arising from construction activities and road traffic. This was expanded following consultation with the Environmental Health Department to include the proposed railway line and station. The main sources of noise generation contribution to the noise environment on the site are: noise from the M6, noise from the A49, Central Avenue traffic and noise from passenger and freight trains. The site was categorised into Noise Exposure Categories (NEC) in accordance with PPG24.

The majority of the site falls within categories NEC A and NEC B. Within areas of the site categorised as NEC A areas noise will not create an adverse impact. Within NEC B areas a limited amount of noise mitigation is likely to be required which will be dealt with by condition. A small section of the site falls with NEC C category and is directly adjacent to the A49 however dwellings in this location will not be located directly adjacent to the carriageway and the noise levels during the day will fall within NEC A or NEC B.

In respect of road traffic the assessment concludes that there would be no significant adverse noise impact. In respect of the noise associated with demolition and land remediation works the levels will be below the noise levels set out with the Department of the Environment Advisory Leaflets. In respect of the railway it is not considered that vibration will have a significant impact on the amenities of the proposed dwellings and ground borne vibration if not a significant issue.

### **Geology and Soils**

In respect of geology and soils the main contribution factor in respect of this site is the need to remediate the site to an appropriate standard. Without mitigation the main potential ground condition effects which could occur are adverse human health effects, potential for ground gas and the potential for the discovery of a live explosive device which could be dealt with in a unmanaged way. As such it is proposed to remove identified contaminated hotspots, incorporate gas protection methods, undertake a confidence scrape across the site, as described earlier in the report, to ensure that the presence of any explosive devices are discovered and dealt with in the correct managed way. The scraped soil will be used to achieve the required levels for landscaping purposes. It is considered that the remediation and associated earthworks undertaken will improve the land quality and reduce the risks to human health and the wider community.

### **Flood Risk**

The site lies within a designated Flood Zone 1 Area. There are two existing watercourses present on the site, Buckshaw Brook and Worden Brook along with their tributaries and an existing lake. To ensure that the development does not increase the risk of flooding downstream the proposed development will provide attenuation up to the 1 in 100 year event and additional allowances will be incorporated for an increase of upto 30% in rainfall intensity (due to the effects of climate change). Sustainable Urban Drainage Systems will be incorporated across the site similar to those incorporated on the main village development. This will be achieved partly by the creation of new water bodies and modification of the existing watercourses.

To take into account the potential for flooding at the site, although this will only occur in extreme events, the following measures will be considered at detailed design stage. Raising of the general site levels in the lowest areas, setting floor levels of the most vulnerable uses at a higher level, provision of generous freeboard between finished site levels and ground floor levels

especially in the lower areas of the site (close to the lake) and the use of flood resilient construction techniques.

## **Building**

### **Landscape, Visual Amenities and Impact on the Listed**

There is a general fall across the site from east (Central Avenue) to its western boundary. The buildings on site are very utilitarian in appearance and hold no architectural or historic value. The landscape of the site forms the most important aesthetic value incorporating mature woodland and existing watercourses. The site has been split into five distinct character areas which take into account the immediate landscape impacts and the physical location of the site. The five character areas are the Central Avenue frontage, Main Street and Central Plaza, Housing Parcel H1, Housing Parcels H2, H3 & H4 and Housing Parcel H5.

The principal impact along Central Avenue is the proposed inclusion of the mixed use zone along this frontage. This differs to the original proposal which incorporated the commercial elements of the scheme along this frontage. This frontage is considered to be an important element of the site as it is where the site meets Buckshaw Village and will be where the two sites integrate with one another. The amendments to the scheme ensure that there is a predominance of residential units along this frontage mirroring the existing and proposed built form along Central Avenue. The residential bias seeks to compliment the setting of Buckshaw Hall and enables the retention of a number of mature trees which form part of the setting of the Hall. The staggered junction proposal is considered to be the most appropriate from an Urban Design perspective and removes the necessity to widen Central Avenue in close proximity of the Hall.

Main Street and Central Plaza will form the main highway link into the site between the mixed use zone and the commercial zone. It is proposed to accommodate small scale offices, local retail and welfare uses at ground floor level to provide some 'animation' within the street. The amount of retail however will be restricted to ensure a 'village centre' is not created which could impact of the Southern Commercial Area of Buckshaw Village.

Parcel H1 has been extended, when compared to the originally submitted proposal, along the full extent of the southern boundary, the boundary with the railway. The interface between the proposed housing and the railway is clearly an important factor and it is considered that advanced structure planting along this boundary is the most appropriate solution for both the existing residents on the southern side of the railway and the future residents. Parcel H1 will incorporate high density family housing and a proposed 'pocket park' with play equipment forms part of this parcel. This provision will form part of the Section 106 contributions.

Parcels H2, H3 and H4 are located within the BHS and Ancient Woodland within these areas large detached residential accommodation is proposed to take account of the woodland setting and to integrate the development with the woodland. Parcel H5 is wholly within South Ribble. This parcel has decreased in size when compared to the original submission to allow the restoration of woodland. This parcel will be similar in

character to Parcel H1 and will incorporate the second 'pocket park' within the site.

Similar to the main Village site the submission of Design Codes will be required for approval by the Local Planning Authorities prior to the submission of any reserved matters applications at the site. These will set out the context for each of the five areas within the site including design, materials, landscaping and density. The future reserved matters applications will then have to accord with the approved Design Codes.

### **Heritage**

There are four elements of the cultural heritage issues at Group 1 which consist of standing buildings, known buried remains, unknown buried remains and archive records. Work undertaken as part of the assessment of the site has resulted in a general photographic record and details of architectural features of interest. There is evidence to indicate that a section of Roman Road passed through the north west part of the site. The development has the potential to impact on this archaeological remain due to removal and disturbance of top soil. As such an archaeological investigation of this part of the site will be required to ensure that any remains are recorded. Due to the previous below ground disturbance on the site resulting from the former use the Environmental Statement considers that the potential for unknown buried remains is low. An appropriately worded condition will be attached to the recommendation in respect of the required archaeological evaluation.

### **Sustainability**

Following the adoption of Chorley Borough Council's Sustainable Resources Development Plan Document and Supplementary Planning Document and the fact that sustainability is high on the Government Agenda there is a chapter of the Environmental Statement addressing sustainability in the context of the proposed development.

To ensure that sustainability principles are achieved development should be located in areas well served by public transport, mixed use developments will be encouraged, maximised use of land is an important element, reclamation of unstable or contaminated land will be encouraged and energy conservation including reducing carbon emissions and consideration of alternative forms of energy production.

Reducing Carbon Dioxide Emissions also forms an important part of the North West Regional Spatial Strategy and the adopted DPD requires evidence to demonstrate that buildings minimise energy use, maximise energy efficiency and are flexible enough to withstand climate change. Sources of renewable energy power generation are required in accordance with the DPD to reduce the carbon emissions by at least 10%.

The submitted Environmental Statement indicates that there are multiple ways to achieve a sustainable form of development. The site is located close to existing public transport links and involves the redevelopment of a contaminated brownfield site. The site is located adjacent to Buckshaw Village which will incorporate a

school, local shopping area, health centre and community centre which ensures that travel to services from the application site is minimised.

The Statement goes on to consider methods to secure environmental sustainability which include sustainable materials in construction, sustainable waste management, energy efficient design and renewable energy. As this application is outline in nature it is difficult to be prescriptive in which methods should be incorporated into the development of this site particularly as the current land owners are unlikely to be the future developers of the site and alternative methods of delivery may be developed over the lifetime of this development. As such full details of the proposals to achieve environmental sustainability will be required with future reserved matters applications.

### **Section 106 Agreement**

Due to the nature and size of the proposed development there will be a Section 106 Agreement associated with the site. The S106 Agreement will include the following elements:

- 1) Affordable Housing: For all reserved matters applications submitted within 5 years from the date of grant of the first reserved matters approval or within 7 years from the date of grant of the outline planning permission (whichever period expires first) the requirement will be 20% affordable housing (70% social rented and 30% intermediate). For all reserved matters applications submitted after the expiry of the period referred to above the requirement will be 30% affordable housing on the same tenure split as above.
- 2) Transport: Payment of £3.5m Index Linked towards improvements to transport infrastructure or other schemes to benefit Group One and Buckshaw Village.
- 3) School Facilities: Reserve 1.2ha of land for a period of 2 years beyond the occupation of the 600th property/ for a period of 10 years from the grant of the first reserved matters approval (whichever is the later) for the construction of a single form entry primary school.
- 4) On-Site Public Open Space: A minimum of 1,000 square metres of public open space shall be provided on-site in the form of two Neighbourhood Equipped Areas for Play (NEAPS)
- 5) Management of On-Site Public Open Space, Lake, Woodlands: No development shall be commenced until a comprehensive Delivery and Management Plan is submitted and approved for the delivery/construction, management and maintenance of all areas of open space, including lake, woodland and NEAPs.
- 6) Off-Site Public Open Space: £350,000 Index Linked
- 7) Highway Improvements and Other Facilities (including Community Facilities and/or the provision of a dedicated Youth Worker or Community Development Officer for Buckshaw Village): £570,000 Index Linked
- 8) Planning Officer: to part fund per year £16,500 for 5 years.
- 9) Cycle Networks: Adoption of Alker Lane Bridge

It was originally envisaged that the Section 106 Agreement associated with this development would contribute to the delivery of Buckshaw Railway Station. However due to the recent CIF2 announcement sufficient funds have been provided for the

station. This ensures that the money originally allocated for the station can be utilised for other transport improvements within the Village.

**Conclusion**                      The proposed redevelopment of the Group 1 site incorporated the redevelopment of a brownfield site within a sustainable location. This site will form the final phase of the Buckshaw Village Development and will assist in creating a sustainable urban village in accordance with the original concept for the Village Development. The main issue relates to the Ecological impacts of the development however weighing up the positive benefits against the negative impacts it is considered that the redevelopment of this site can be achieved whilst providing adequate mitigation for the ecological impacts.

**Recommendation**      **Permit Outline Planning Permission (subject to the Section 106 Agreement)**

**Recommendation: Permit (Subject to Legal Agreement) Conditions**

1. Any application for approval of reserved matters (as defined in Condition 2 below) for all Phases identified on the approved Masterplan reference 895/97A must be made to the Council not later than the expiration of ten years beginning with the date of this decision notice. Each Phase or Sub-Phase (as defined in Condition 3 below) of the development shall be begun within two years of the date of the Reserved Matters Approval relating to that Phase or Sub-Phase or in the case of approval of reserved matters on different dates the date of the final approval of the last of such matters to be approved.

*Reason: 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.*

2. Subject to Condition 3 (below) before any Phase of the development (as identified on the approved Masterplan reference 895/97A) or a Sub-Phase of a Phase (as defined by Condition 3 (below)) hereby permitted is first commenced, full details of all reserved matters relating to that Phase or Sub-Phase (namely the siting, design, external appearance of the buildings, and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: 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*

3. Any application for approval of reserved matters of a Sub-Phase of a Phase shall not be submitted for approval pursuant to Condition 2 (above) unless there has first been submitted to and approved in writing by the Local Planning Authority a plan showing the extent of the proposed Sub-Phase for which reserved matters are to be submitted. For the purposes of this planning permission, all references to a Sub-Phase or Sub-Phases shall be to a Sub-Phase or Sub-Phases as shown on a plan approved by the Local Planning Authority pursuant to this Condition 3.

4. The development hereby permitted shall be carried out in accordance with the approved Masterplan (reference 895/97A received 28<sup>th</sup> August 2009), the approved Building Density plan (reference 895/94 received 28<sup>th</sup> August 2009), the approved Building Heights plan (reference 895/98 received 28<sup>th</sup> August 2009 ), the approved Phasing Plan (reference 895/93A received 28<sup>th</sup> August 2009) and the approved Land Use Plan (reference 895/89A received 28<sup>th</sup> August 2009 ) unless otherwise agreed in writing by the Local Planning Authority. Additionally the development shall be carried out in accordance with the approved Development Profile by Phase dated 28<sup>th</sup> August 2009, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure an acceptable form of development for the site within the parameters of the Environmental Impact Assessment which accompanied the application.*

5. Prior to the submission of any reserved matters applications on the site pursuant to Condition 2 a Design Code shall be submitted to and approved in writing by the Local Planning Authority. This Design Code shall be produced in accordance with the Design and Access Statement dated August 2008 and the Supplementary Report to the Design and Access Statement dated January 2009. The Design Code shall include the design principles for the whole of the site and will incorporate, amongst other elements,:

- The Masterplan for the site
- Specific character areas incorporating detailing design requirements
- A highway hierarchy and design considerations including the alignment of the main road through the site linking Central Avenue to the A49
- A greenspace and landscape structure
- A movement framework
- Layout considerations
- Parking and garaging
- Appropriate building and hardsurfacing materials
- Details of appropriate boundary treatments
- Lighting
- Signage and signposting
- Sustainability
- Details of the laying of services, drainage and cables
- Bin storage and rubbish collection

Each reserved matters application thereafter shall be submitted in accordance with the Approved Design Code unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

6. Approval of the reserved matters shall be obtained from the Local Planning Authority in writing for each Phase or Sub-Phase of the development before each respective Phase or Sub-Phase of the development (excluding works of demolition, site remediation and archaeological investigation) is commenced, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: to ensure the proper, comprehensive planning of the development which will be on a phased basis given its scale.*

7. Prior to the commencement of the development and the submission of any reserved matters application pursuant to Condition 2 the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Foul and surface water drainage
- Surface water strategy including details of the attenuation ponds
- Nature conservation and enhancement works including details of the proposed ponds
- Provision and layout of public open space
- Provision of footpath and cycle links
- Existing and proposed levels
- Tree works and tree protection measures

Each and every reserved matters application shall be submitted in accordance with the approved details. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.



*Reason: In the interests of the proper and comprehensive planning of the site to create a high quality sustainable development. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review.*

8. Prior to the commencement of the development a Travel Plan for the site shall be submitted to and approved in writing by the Local Planning Authority. The Plan shall be generally in accordance with document submitted with the application entitled The Measures to Promote Sustainable Travel prepared by Singleton Clamp & Partners. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To reduce the number of car borne trips and to encourage the use of public transport and to accord with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review.*

9. Prior to the commencement of the development a movement strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the road hierarchy through the site and the footpath/ cycle linkages through the site. The development thereafter shall be carried out in accordance with the approved movement strategy

*Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent/ nearby existing Villages. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

10. Prior to the commencement of the development a landscape strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the informal open space and the structure planting along the southern and western boundaries of the site. In particular the strategy shall detail the phasing of the tree removal along the southern railway boundary, details of the phasing of the replacement tree planting along the southern boundary and the type and size of trees to be planted along the southern boundary. All reserved matters application shall be submitted in accordance with the approved landscape strategy and the development thereafter shall be carried out in accordance with the approved landscape strategy.

*Reason: In the interests of the proper development of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

11. No development shall commence until full details of the proposed footpath/cycle link underneath the bridge at the south-east corner of the site have been submitted to and approved in writing by the Local Planning Authority. No dwelling constructed on the site shall be occupied until the footpath/ cycle link has been provided in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent Buckshaw Village. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

12. Prior to the commencement of the development a surface water drainage strategy (including a surface water attenuation strategy) shall be submitted to and approved in writing by the Local Planning Authority. The drainage of the site shall thereafter be fully implemented and completed in accordance with the approved strategy.

*Reason: To enable the Local Authority to assess the effects of the proposed development on flood defence/ land drainage. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*

13. Prior to the commencement of the development full details to measures to reduce dust and particulate matter resulting from the construction works shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall be in accordance with the submitted Environmental statement (Pages 101 and 102) which detail the mitigation measures to be employed at the site during demolition and construction activities. The development thereafter shall be carried out in accordance with the approved details.

*Reason: To reduce the amount of dust and particulate matter created as a part of the development of the site, in order to minimise the air quality impacts and to provide adequate mitigation measures to reduce dust production. In accordance with Policy EP21 of the Adopted Chorley Borough Local Plan Review*

14. Before the development of any Phase or Sub-Phase hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected for that Phase or Sub-Phase (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/ dwelling for that Phase or Sub-Phase 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.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review*

15. Samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that Phase or Sub-Phase. The development of each Phase or Sub-Phase shall only be carried out using the external facing materials for that Phase or Sub-Phase approved pursuant to this Condition.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review*

16. Full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that Phase or Sub-Phase of development. The development of that Phase or Sub-Phase shall only be carried out using the approved materials. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

17. Each application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot by means of low carbon sources. Details shall be submitted for on-site measures to be implemented including rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. No Phase or Sub-Phase of the development shall commence until such a scheme has been submitted to and approved in writing by the Local Planning Authority for that Phase or Sub-Phase. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority..

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

18. Each and every application for approval of Reserved Matters pursuant to Condition 2 shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1<sup>st</sup> January 2010 will be required to meet Code Level 3, all dwellings commenced after 1<sup>st</sup> January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1<sup>st</sup> January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. No Phase or Sub-Phase of the development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

19. Each application for approval of reserved matters pursuant to Condition 2 shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. Each Phase or Sub-Phase of the development shall only be carried out in conformity with the approved level details.

*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5, EM2 and HS4 of the Adopted Chorley Borough Local Plan Review*

20. Each application for approval of Reserved Matters for the commercial premises shall be accompanied by full details of any fixed mechanical plant being used on the premises. The plant shall be enclosed with sound insulating material and mounted in a way which will minimise transmission of structure and air borne sound. The agreed measures shall be, thereafter, retained and maintained for the duration of the approved use unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that noise generation is minimised on the site, to protect the amenities of the future and existing residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.*

21. Each application for approval of Reserved Matters for the B1 office accommodation shall be accompanied by a scheme to demonstrate that the following internal noise levels will not be exceeded within any proposed open plan offices: LAeq,T 45-50 dB. No part of the offices shall be occupied until the scheme has been implemented in accordance with the approved details and shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure that noise generation is minimised on the site and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.*

22. Any application for approval of reserved matters of a Phase or Sub-Phase pursuant to Condition 2 (above) shall include the submission for approval of a Tree Constraints Plan which gives full details of all existing trees within that Phase or Sub-Phase which are proposed to be retained in accordance with the tree survey approved pursuant to planning approval reference 09/00095/FULMAJ and the measures which will be implemented in order to secure their protection during the course of the development and retention thereafter. No development shall commence until the approved tree protection measures have been put in place and the development of the relevant Phase or Sub-Phase shall thereafter proceed in full accordance with the approved Tree Constraints Plan for that Phase or Sub-Phase

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review*

23. Prior to the commencement of the development full details of the phasing of the remediation of the site shall be submitted to and approved in writing by the Local Planning Authority. The remediation and reclamation thereafter shall be carried out in accordance with the approved phasing, the planning permission reference 09/00095/FULMAJ and in accordance with the submitted remediation strategy (Report Ref: B0031-02-R9-B), unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is re-mediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

24. If, during development, contamination not previously identified is found to be present at the site then development shall immediately cease and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement which forms part of Report Ref: B0031-02-R9-B detailing how this unsuspected contamination shall be dealt with. The development thereafter shall be carried out in accordance with the approved method statement.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is re-mediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

25. No Phase or Sub-Phase of the development shall be commenced until a validation report containing any validation sampling results for that Phase or Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It should also include any plan (a long term management and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The development thereafter shall be carried out in accordance with the approved management and maintenance of the plan.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is re-mediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

26. No Phase or Sub-Phase of the development shall be commenced until details of the proposed site compound and cabin locations for that relevant Phase or Sub-Phase of the development have been submitted to and approved in writing by the Local Planning Authority. Site compounds and cabins shall be located in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of the visual amenities of the site and to ensure the sitings do not adversely impacts on the assets of the site. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

27. Prior to the importation or use of any recycled subsoil and/or topsoil material on the proposed development site, a report detailing the sampling regime and laboratory analysis results of the material shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is re-mediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

28. Before the development of any Phase or Sub-Phase hereby permitted is first commenced full details and technical specifications of the ground gas protection measures to be incorporated into the proposed buildings shall be submitted to and approved in writing by the Local Planning Authority. The details and specifications must follow best practice guidance such as that presented in CIRIA Report C665 (2007) *Assessing risks posed by hazardous ground gases to buildings*.

*Reason: To protect future occupiers from the ingress of landfill gas and in accordance with Government advice contained in PPS23: Planning and Pollution Control*

29. No development shall be commenced until full details of the proposed temporary access road, served from Central Avenue, to serve the development have been submitted to and approved in writing by the Local Planning Authority, (the details to include consideration to all travel modes including pedestrian and cycle access). No more than 330 dwellings or 14,300 square metres of commercial floorspace, whichever occurs first, shall be occupied until the temporary access road has been closed, the access road is cleared from the site and the junction with Central Avenue (shown on plan reference SCP/06047/SK006 received 28th August 2009) has been constructed in accordance with the approved plan SCP/06047/SK006 and is open to public traffic, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

30. No part of the development which is accessed from the A49, indicated on the approved Masterplan reference 895/97A, shall be commenced until the A49 access has been constructed in accordance with approved plan reference SCP/06047/SK005 received 28<sup>th</sup> August 2009 unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

31. No development shall take place until full details of the main road through the site between the junction on Central Avenue and the junction on the A49 have been submitted to and approved in writing by the Local Planning Authority. Thereafter Phase 2 of the development, as shown on the Masterplan (reference 895/97A dated 28th August 2009), shall not be commenced until the main road through the site has been constructed between the junction on Central Avenue and the junction on the A49 in accordance with the approved details and is open to public traffic.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

32. No more than 330 dwellings or 14,300 square metres of commercial floorspace, whichever occurs first, shall be occupied until the improvements to Dawson Lane/ Central Avenue Junction shown on plan reference SCP/06047/SK008 received 20th March 2009, and the Hayrick Lane Marking Improvements, plan reference SCP/06047/SK007 received 20th March 2009, have been completed in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

33. No development shall take place until a programme of archaeological work, for the area of the site detailed on plan reference 895/99, received 2<sup>nd</sup> September 2009, has been carried out and completed in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

*Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.*

34. A scheme of landscaping for each Phase or Sub-Phase shall be submitted and agreed in writing prior to the commencement of that Phase or Sub-Phase of development. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped, detail any changes of ground level and shall be in accordance with the approved landscape strategy pursuant to conditions four and five. Landscaping and restoration schemes 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

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review*

35. All planting, seeding or turfing comprised in the approved details of landscaping pursuant to Condition 33 above shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development within the relevant Phase or Sub-Phase, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review*

36. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 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 the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*

37. All vehicles, plant, equipment and other machinery used in connection with the construction phase of the site shall be equipped with effective silencing or soundproofing equipment to the standard of design set out in the manufacturers original specification and to a standard which has previously been agreed in writing by the Local Planning Authority. The vehicles, plant, equipment and other machinery shall be maintained in accordance with the approved details at all times unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard the amenities of local residents, to protect nearby noise sensitive buildings and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*

38. Prior to the occupation of the dwellinghouses hereby permitted a scheme demonstrating that the following internal noise levels will not be exceeded within any of the dwellinghouses: LAeq 2300-0700hrs = 35dB, LAmax 2300-0700 hrs = 45dB, shall be submitted to and approved in writing by the Local Planning Authority. The dwellinghouses shall not be occupied until the approved scheme has been implemented in accordance with the approved details. The approved measures shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard the amenities of the future residents and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*

39. The construction works associated with the development hereby permitted shall not take place except between the hours of:

- 0800 hrs to 1800 hrs Monday to Friday
- 0800 hrs to 1300 hrs on Saturdays.

No construction activities shall take place on Sundays or Bank Holidays. These construction hours shall be adhered to during the development of the whole site unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To safeguard the amenities of local residents, to protect nearby noise sensitive buildings and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.*



40. The B2 use hereby permitted shall be restricted to the hours between 8am and 6pm on weekdays, between 8am and 1pm on Saturdays and there shall be no operation on Sundays or Bank Holidays.

*Reason: To safeguard the amenities of local residents and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.*

41. The Class A1 retail floorspace hereby permitted shall not exceed 1,000 square metres/ 10,765 square feet gross unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To enable the provision of the needs of the development to be met on the site in the interests of sustainability without adverse effects on nearby centres.*

42. Notwithstanding the provisions of Town and Country Planning (Use Classes) Order 1987 or any provision in any statutory instrument revoking and re-enacting that Order with or without modification) no part of the Use Class A2 (Financial Institution) floorspace shall be permitted to be used for Use Class A1 (retail) unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To control the extent of retail development on the site in the interests of protecting nearby local centres.*

43. No dwellings shall be occupied with 25 metres of the two Neighbourhood Equipped Areas for Play (as identified on the Masterplan reference 895/97A received 28<sup>th</sup> August 2009) until the play area has been constructed and completed in accordance with plans which have previously been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site and in accordance with Policy HS19 of the Adopted Chorley Borough Local Plan Review.*

44. Surface water must drain separately from the foul and no surface water will be permitted to discharge to the foul sewerage system.

*Reason: To secure proper drainage and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.*

45. No development of Phase 2, detailed on Masterplan reference 895/97A received 28<sup>th</sup> August 2009, shall commence until the works to the landfill zone adjacent to the site have been completed in accordance with planning permission 09/00058/CTY.

*Reason: To ensure that adequate ecological mitigation is provided in a specified time scale for the ecological impacts of the remediation and redevelopment of the site. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation and in accordance with Policies EP4 and EP9 of the Adopted Chorley Borough Local Plan Review.*

46. Prior to the commencement of the development full details of the proposed improvements to the footpath/ cycleway to the western footway on Central Avenue shall be submitted to and approved in writing by the Local Planning Authority. The details shall include full details of the existing trees along Central Avenue which shall be retained as part of the improvements. No more than 330 dwellings or 14,300 square metres of commercial floorspace, whichever occurs first, shall be occupied until the approved improvements have been completed, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of the proper development of the site, to promote connectivity through the site and with the adjacent Buckshaw Village. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*

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