

APPLICATION REPORT – 20/01399/OUTMAJ

Validation Date: 30 December 2020

Ward: Chisnall

Type of Application: Major Outline Planning

Proposal: Outline planning application for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping, and vehicular access points from Grange Drive. All matters reserved save for access.

Location: Land Adjacent Blainscough Hall Blainscough Lane Coppull

Case Officer: Adele Hayes

Applicant: Lea Hough And Co LLP

Agent: Mr Elliott Bullock, NJL Consulting

Consultation expiry: 2 February 2021

Decision due by: 31 March 2021

RECOMMENDATION

1. It is recommended that the application is refused for the following reasons:
 - 1) The proposed development would be located within an area of Safeguarded Land as defined by the Chorley Local Plan 2012 - 2026. Chorley has a five year housing land supply as required by the National Planning Policy Framework. The proposal therefore conflicts with policy BNE3 of the Chorley Local Plan 2012 - 2026. It is not considered that there are material considerations put forward in favour of the development are sufficient to outweigh the presumption against it.
 - 2) The application contains insufficient information to determine the presence or otherwise of great crested newts and, therefore, the impact of the proposed development on this protected species cannot be fully assessed. The application is, therefore, contrary to policy BNE9 of the Chorley Local Plan 2012 -2026.
 - 3) The application site is proposed in isolation from the wider site allocation BNE3.6 of the Chorley Local Plan 2012 -2026 and, therefore, leads to a piecemeal approach to the development of the wider site which results in an unsustainable form of development. It fails to consider patterns of movement and connectivity which means that the development does not integrate or function well with the surrounding area. The proposal does not, therefore promote sustainable transport options for people or secure a high-quality inclusive design. The proposal is, therefore, contrary to policy 17 of the Central Lancashire Core Strategy 2012, policy ST1 of the Chorley Local Plan 2012 – 2026 and the National Planning Policy Framework.

SITE DESCRIPTION

2. The application site forms part of a wider parcel of land designated as Safeguarded Land under Chorley Local Plan 2012-2026 policy BNE3 (BNE3.6 Blainscough Hall, Coppull).

3. The site covers an area of approximately 5.51 hectares and is located adjacent to the defined settlement boundary of Coppull. Public Rights of Way run through it.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application is in outline form and proposes up to 123no. new dwellings, with all matters reserved save for access. The two new access roads are proposed on Grange Drive, on the northern edge of the site. It is anticipated that the dwellings would be a range of three to five bedroom properties designed as detached, semi-detached or mews. These are arranged on access roads which consist of an access loop between the two new access points, with four cul-de-sacs from the loop located across the site with six turning heads.

REPRESENTATIONS

5. 35no. representations have been received citing the following summarised grounds of objection:

Principle

- Surely Camelot should be developed before a green field?
- The proposal also goes against section BNE3.6 of the current local plan which has identified this land as safeguarded land and as such is identified for future development needs, beyond 2026
- This is to ensure continuity of green belt land and to quote Paragraph 85 of the framework "planning permission will only be granted following a local plan review"
- Presently Chorley Council can show that they have enough housing capacity for the next five years and as such safeguarded land should remain safeguarded, especially as there are more than enough Brownfield sites as yet untouched that can be developed
- In light of other areas available and indeed where development has been granted permission such as Strawberry Fields and Park Hall Camelot it is questionable whether this particular scheme is actually required
- The development will doubtlessly increase traffic in the area and therefore have a negative impact on pollution and carbon emissions - it therefore conflicts directly with local core objective SO3: "To reduce the need to travel, manage car use, promote more sustainable modes of transport and improve the road network" and NPPF guidance on sustainability

Highway safety

- Trying to exit the junction from Grange Drive onto Spendmore Lane [which traffic from the development would use] is difficult and there have been lots of near misses
- Better traffic control at this junction is needed
- Access should be onto Blainscough Lane as it has a safe access to the public highway
- There is obstructed view from the mini-roundabout
- This development is contrary to Local Plan policy BNE1d which states that the residual cumulative highways impact of the development should not be severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic
- This proposal plans to access the site via the mini roundabout on Spendmore Lane and Grange Drive
- Spendmore Lane is a road which is heavily congested and this development of 123 dwellings would lead to an increase of 200-250 vehicles all of which would have to use Spendmore Lane, a considerable impact leading to further congestion
- On leaving Grange Drive the visibility to the right is very poor and again is an accident waiting to happen
- It is certainly not a suitable access route for construction vehicles and heavy lorries

- Grange Drive itself is not a particularly wide road and has several pinch points due to parking
- It is a residential area incorporating a play area for small children
- Surely it cannot be acceptable to increase the risk to these children by allowing a significant increase in heavy traffic
- The road leading from Grange Drive onto Spendmore Lane is controlled by a roundabout that is very dangerous for the current residents as people traveling on Spendmore Lane do not acknowledge the roundabout and speed up to it
- Grandchildren have become accustomed to the current low levels of traffic in the Cul-De-Sac
- LCC have a responsibility to reduce their carbon footprint - by increasing the traffic to an area is not meeting this responsibility
- The scheme will result in substantial additional through-traffic and corresponding additional air pollution
- All the additional traffic will need to pass immediately alongside an existing children's play area
- Pick up and drop off at the school causes numerous issues, parking on pavements, at the entrance by the roundabout to the estate and double parking outside the school resulting in traffic backing up both ways.
- The planners claim the development will only increase the volume of traffic entering/ exiting the estate to be around 50+ each way - how can a valid survey of the existing volume of traffic be correct considering we are in our third lockdown
- Walking is hazardous as pavements are used for parking and pushing a pram means using the road
- There is no parking facility for St. Oswald's school, thus parents park on Grange Drive, constricting access to the estate
- The primary school children leaving these vehicles will also be at increased risk at all points of the build project, as well as once complete because of the increased traffic
- If this proposal were to proceed, additional access to the estate from the main roads would be an absolute requirement, as well as the consideration of traffic calming measures on Spendmore Lane
- The Spendmore Lane mini-roundabout junction has been a long standing local safety concern
- Vehicles turning right into Grange Drive are too often required to take evasive action to avoid those who fail to give way
- Worse still is egress from Grange Drive where visibility to the right is inadequate
- It is naive for the Consultant to assume the junction is of an adequate standard to offer the required vehicular capacity to accommodate such a development not to mention the safety issues presented by such a proposal
- A simple review of the junction for compliance with the Design Manual for Roads and Bridges (DMRB) CD 116 - Geometric Design of Roundabouts, indicates that the existing design is evidently poor and appears to have been designed with the following design parameters:
 - 85th percentile speed for the arm to the right (Spendmore Lane westbound) is assumed to be
 - 25mph.
 - A gap acceptance time of 2 seconds.
 - An 'F' distance of 2.4m.
- Design Issues
 - It is intangible that the 85th percentile speed on Spendmore Lane is 25mph
 - Traffic surveys should be conducted to establish the actual speed
 - CD 116 states the minimum 'F' distance i.e. distance back from the give way line in which the visibility envelope starts shall be 9m but does permit a relaxed 'F' of 4.5m as well as a further relaxation to 2.4m "where neither the 9m or 4.5m can be achieved" providing the peak hour entry flow on the arm is less than 300 veh/hr. An 'F' of 2.4m is clearly undesirable and does not offer a safe level of visibility to drivers exiting Grange Drive
 - The Highway Authority failed to reinstate the 'domed' aspect of the white circle and also omitted the outer red coloured surfacing

- While the latter is not prescribed in CD116 it did offer the benefit of conspicuity
- Other nearby features on Spendmore Lane such as bus stops, Tansley Avenue & Westend Avenue junctions make this a particularly hazardous location for all users
- More surprising is that there are no facilities for the visually impaired or those with limited mobility to navigate this poorly designed arrangement safely
- If the Blainscough Lane development was to proceed then a new access off Preston Road, via Blainscough Lane is required
- Residents and visitors are required to park their vehicles along the estate roads due to insufficient off road parking provision
- The width of the existing estate roads is 5.5m and the horizontal alignment consists of sweeping curves and tight radii
- However in reality the presence of parked vehicles with this approach often becomes a road safety issue
- We strongly oppose the "access loop" in which an existing cul-de-sac is converted into a through road
- Access to any new development should be via a newly created, fit for purpose vehicular access from Blainscough Lane during both construction and upon completion
- The conversion of a cul-de-sac to a spine road would increase traffic flows
- The Grange Drive and Manor Way estate roads have only very recently been adopted by the Highway Authority; taking over 10 years despite a S38 being in place, however numerous highway verges and fences remain unadopted
- While the footways and carriageway are now maintained by LCC the grass verges, hedgerows and trees are not included on the Chorley Borough Council maintenance schedule and are maintained infrequently by the developer
- The LPA need to consider the maintenance of the highway features and open spaces at the application stage to prevent similar situations in the future
- Throughout Grange Drive and Manor Way there is rotten/damaged highway fencing as well as other features which are missing or have been vandalised
- The layout of Grange Drive is already quite unsafe due to its steepness and is hazardous in poor weather
- Using this road for sole access is dangerous, mainly due to its connection to a busy Broad, Spendmore Lane, where many accidents have occurred due to the roundabout which connects the two roads

Infrastructure

- *The local schools are already over subscribed - with more children, many local schools don't have the space to be extended*
- *More houses may impact on existing residents getting access to doctors and dentists*
- *The increase in population will have an adverse effect on schools, doctors, dentists, clinics and leisure centre facilities*
- *Waiting a long time to get GP appointment*
- *No longer any police presence and crime is on the up, with police doing nothing about well known individuals*
- *The plan shows the primary schools, however it does not show that due to developments such as Buckshaw/Duxbury, our secondary schools are oversubscribed, some changing their catchment areas meaning children in Coppull struggle to get their school of choice.*

Ecology and landscape

- It will affect Blainscough Woods Nature Reserve
- This development is contrary to Local Plan policy BNE1f which states that any development should not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses
- This proposal would have significant detrimental effect on important natural habitats and landscape features such as mature trees, hedgerows, ponds and watercourses

- The site borders the protected area of Blainscough nature reserve and is used as a wildlife corridor through to Chisnall and Hic Bibi - any development on this site would seal off this corridor with a resultant loss of wildlife
- Well known wildlife route
- Nature reserve - This is home to many wild animals and birds. Bats and squirrels live in this area and last year there was a breeding pair of Sparrowhawks
- There is also no mention of the natural pond that contains newts and other animals
- Any new development would disturb the wildlife and it seems incredulous that you are planning to build so close to it
- Line of fields that occupy field boundaries provide safe haven for animals
- Last year a large tree was felled in nearby St Oswalds Court just so they could conduct a survey
- Trees act as a windbreak / noise barrier
- In the local plan it states that intent is to maintain and improve the quality of the environment, creating 'room to breathe' - stating that we should protect open spaces
- The proposal does not support this - it does not take into account the impact on existing features, trees, watercourses and wildlife
- It removes green space, will adversely affect the character of the setting, the adjacent nature reserve will be impacted as the fields are a wildlife corridor for a number of animals and plant species
- Natural pond, not shown on plan received, newts frogs toads spawn yearly here
- Also damsel and dragon flies
- Home to bats, wild birds, roe deer, squirrels, owls, birds of prey (sparrow hawks and common buzzards)
- Bat habitat around old moat area
- Hedgehogs are in abundance
- Natural pond situated 10m from the significant line of healthy trees which fall within the border of the plans and lies within the proposals

Drainage and flooding

- In winter the brook that runs along the lower end of Grange Drive and under Spendmore Lane gets high in the winter months - will it cope with more housing and more hard surfaced area?
- This development is contrary to Local Plan policy BNE1f with regard to the watercourse as the proposal aims to provide drainage into Tanyard Brook
- Tanyard Brook is already struggling to cope with the amount of water running through it at present
- This site floods quite severely and at the time of writing this objection the site is flooded in several areas
- Extensive work would be required in order to control this flooding
- At the moment the field is full of water, the public footpath leading up to the bridge is flooded, the brook which takes the water has struggled with heavy down pour and in the past has risen to a worrying state, raising concerns for their property and their neighbour's property
- The fields are currently used for hay (3 crops a year) and winter grazing - this means that rainfall is absorbed by the ground and slowly percolates into the surrounding watercourses
- During heavy rainfall this prevents localised flooding
- The field behind Manor Way, especially, holds surface water that would otherwise overwhelm Tanyard Brook
- Raw sewage has come out from manhole covers
- Fields flood after couple days of rain – where will this water go?
- Brook can reach over 20 feet across in parts and is extremely deep
- Fields hold a lot of water which would end up in Brook if houses built
- Drains have water bubbling up from them in heavy rainfall even bubbling up through tarmac in path along side brook

- Path from bridge over Brook to field has been inaccessible at times due to water levels being so high
- Can pumping Station cope with 120+ more houses?

Amenity

- It will impact on privacy
- This is a greenfield site which provides much needed amenity value for the health and well-being of the community using the footpaths that cross it
- Local walks will be ruined, the fields are a walkers haven, safe for children and people with dogs
- Somewhere safe to walk away from the busy main roads
- Grange Drive already has a play area which is currently in the ownership of a developer
- Therefore the maintenance of these facilities are the responsibility of said developer
- The condition of the play area is poor and tired in appearance
- In addition, there are obvious safety issues which have been long ignored i.e. safety matting has lifted/deteriorated, presenting a trip hazard
- The LPA need to consider the ownership of any new play area to ensure the upkeep is of a satisfactory standard
- Ideally all play areas should be adopted by Chorley Borough Council.
- The 3 footpaths that cross it are well used for leisure, to get to work and other parts of the village

Heritage

- Blainscough Hall used to be surrounded by a moat and is mentioned in the 16th century when priests took refuge in the English Civil War
- There is also the remains of a Roman Road that runs past Blainscough Hall from Hic Bibi towards Preston
- This ancient building and road should be protected

Other

- There is a park that runs along Grange Drive, and that road would get more traffic and increase the risk to playing children
- Construction traffic and deliveries during the build should use a temporary access through Blainscough Lane rather than bringing construction traffic through a residential area
- It will impinge on ability to maintain boundaries
- It would impair the availability of established and safe off the public highway walking routes around the area
- No matter how elaborate these developments are, continuation of building on what's left of green spaces is not in the best interest of the village and its community
- Concerned about the amount of affordable housing on this proposed site - this will have a negative impact on house prices and add to issues surrounding social behaviour
- Slowest roll out of COVID vaccines in area
- A childrens trim trail adjacent to the main road into the development and next to open water does not seem sensible from a safety perspective
- Not seen any measures in the plan to prevent crime and promote community safety
- Public consultation via a mail drop and email is not meaningful consultation on a subject that has such a significant impact on the community and its surroundings
- When we purchased our property in June 2016, we received documentation stating the fields to the rear of our property had a 10 year moratorium, starting 2016 to 2026
- There are also mineshafts in that location which would mean the land is unstable for development and poses a serious risk to people's health and wellbeing

- Concerned that if this is passed the developers could sell on the planning permission to another developer who could resubmit for more housing impacting the infrastructure further
- Why is this development called Blainscough development when there is no exit or entrance from Blainscough Lane - it is a Grange Drive development
- Save land for future and do better general public consultation so that more people can find out about selling land
- Rumour has it Miller Homes have bought this land - odd seeing as no planning permission has been granted.

CONSULTATIONS

6. Coppull Parish Council – Have objected to the proposal and have commented as follows:
 - Support the objections raised by the community of Coppull.
 - Damage to the environment and established wildlife habitats and corridors from the overdevelopment and unnecessary removal of a large recreational green space in the village.

7. Charnock Richard Parish Council – Have objected to the proposal and have commented as follows:

“The single access proposed from Spendmore Lane, has design flaws which make it hazardous. The increase in vehicular movements to and from the development will compromise highway safety on roads in Coppull and in neighbouring Parishes. The local infrastructure in Coppull and the neighbouring Parish of Charnock Richard is inadequate, with school places difficult to secure and doctors surgeries hard pressed to serve their local communities. Local shops, dentists, opticians and leisure facilities are simply not big enough to cope with the demand from existing homeowners, without the increased pressure of additional demand from new housing provision. The additional pressure on an already inadequate drainage system in the area will result in flooding issues. The loss of trees, woodland and wildlife habitats will have a significant detrimental impact on the area which is currently a haven for wildlife. The impact on the traffic levels and already existing parking problems in Charnock Richard will be heightened as residents of the new development seek to find school and pre-school places in our Parish. The Parish Council do not believe there is sufficient local infrastructure available to support further development in Coppull”.

8. Lancashire Constabulary Architectural Liaison: Make a number of recommendations in relation to designing out crime.
9. Environment Agency: Have no objection.
10. Greater Manchester Ecology Unit: Make a number of recommendations and advise that great crested newt surveys are required.
11. Waste & Contaminated Land: No objection subject to land contamination condition.
12. Regulatory Services - Environmental Health: No comments have been received.
13. United Utilities: Have no objections, conditions are recommended.
14. Lancashire Fire and Rescue Service: No comments have been received.
15. Lancashire County Council Highway Services – Comments to be reported on the addendum.
16. Lancashire County Council Education: Advise that an education contribution is not required at this stage in regards to this development.
17. Lead Local Flood Authority: Raise no objection, subject to various conditions.

18. NHS: No comments have been received.
19. CIL Officers: Comment that CIL Liability is not calculated at outline application stage. The development will be CIL Liable on approval of the final reserved matters application (if approved).

PLANNING CONSIDERATIONS

Principle of development

20. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
21. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
22. The Central Lancashire Core Strategy was adopted in July 2012 and covers the three neighbouring authorities of Chorley, South Ribble and Preston. The three authorities are a single Housing Market Area (HMA).
23. Core Strategy Policy 1 (Locating Growth) identifies Whittle-Le-Woods as an Urban Local Service Centre where some growth and investment will be encouraged to help meet local housing and employment needs.
24. Core Strategy Policy 4 Housing Delivery of the Plan sets the following minimum requirements for housing development across the Core Strategy area:
 1. Preston 507 dwellings pa
 2. South Ribble 417 dwellings pa
 3. Chorley 417 dwellings pa
25. Core Strategy Policy 5 Housing Density indicates densities will be secured in keeping with local areas and which will have no detrimental impact on the amenity, character and appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.
26. Core Strategy Policy Policy 7 Affordable and Special Needs Housing of the Plan seeks to ensure sufficient affordable housing and special needs housing is provided to meet housing needs. It sets a requirement of 30% affordable housing on residential schemes in the urban parts of Chorley. In terms of the National Planning Policy Framework major development proposals are defined where 10 or more houses are provided or where the site has an area of 0.5 hectares or more.
27. Policy V2 of the Chorley Local Plan 2012 - 2026 establishes the Settlement Areas in the Borough. Within these areas there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies of the Development Plan. It is within these areas (and the strategic allocations) that the majority of development is envisaged to take place.
28. The application seeks outline planning permission for up to 123no. dwellings on approximately 5.51 hectares of land. The site is adjacent to the settlement area of Coppull and is located on designated safeguarded land, as defined in Policy BNE3 (Areas of Land Safeguarded for Future Development Needs) of the Chorley Local Plan 2012 - 2026. This application site forms part of a wider parcel of safeguarded land known as BNE3.6 Blainscough Hall, Coppull.
29. The site was designated as Green Belt in the 1993 Lancashire Structure Plan. It was removed from the Green Belt designation and reallocated as Safeguarded Land along with a number of other sites in the 1997 Chorley Borough Local Plan under the Safeguarded

Land policy (Policy C3). In the Chorley Borough Local Plan Review in 2003 the site was again designated as Safeguarded Land under Policy DC3.11.

30. The areas of Safeguarded Land covered by Policy DC3 were reviewed as part of the current Local Plan process which started in 2010. The review included a sustainability assessment, and consultation with Lancashire County Council and United Utilities. In order to meet Chorley's housing, employment and open space requirements in the Chorley Local Plan 2015, safeguarded sites that were considered the most suitable, specifically those that were natural extensions to existing settlements, and proved most viable in terms of highways access and the characteristics of the site were allocated. The remaining Safeguarded Land was retained as Safeguarded Land under Policy BNE3 to provide for potential future development needs beyond the Plan period (i.e. after 2026).
31. Policy BNE3 is a restraint policy and states that development other than that permissible in the Green Belt or Area of Other Open Countryside (under Policy BNE2) will not be permitted on Safeguarded Land. The proposal is, therefore, contrary to Policy BNE3.
32. Policy BNE3 is in accordance with paragraph 139 of the National Planning Policy Framework (The Framework) (February 2019) which states that local planning authorities should c) "where necessary, identify areas of safeguarded land between the urban area and the Green Belt, in order to meet longer term development needs stretching well beyond the plan period" and d) "make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan which proposes the development".

Other material considerations

33. The Framework is a key material consideration. The purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). There are three objectives to sustainable development set out at paragraph 8 and it is fundamental that development strikes the correct balance between:
 1. Environmental - the protection of our natural, built and historic environment.
 2. Economic - the contribution to building a strong and competitive economy.
 3. Social - supporting strong, vibrant and healthy communities
34. Paragraph 10 of the Framework states that so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
35. Paragraph 11 of the Framework states for decision-taking this means:
 - c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - a. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - b. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
36. The Footnote (6) to paragraph 11 sets out examples of the type of policies that may indicate development should be refused. Footnote 7 makes clear that the tilted presumption in favour of sustainable development will apply where a Local Planning Authority cannot demonstrate a five year supply of deliverable housing sites.
37. Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes.

38. Paragraph 60 of the Framework reinforces that requirements represent the minimum number of homes needed.
39. Paragraph 73 of the Framework requires Local Planning Authorities to maintain a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategies or against their local housing need where the strategic policies are more than five years old. Footnote 37 states in circumstances where strategic policies are more than five years old, five year housing land supply should be calculated against Local Housing Need calculated using the Government standard methodology, unless those strategic policies have been reviewed and found not to need updating.
40. Section 13 of the Framework sets out the Government's policy on protecting Green Belt land. It begins by stating that "the government attaches great importance to Green Belts". The importance of the permanence of the Green Belt is reiterated. Paragraph 139 explains that Local Authorities should, where necessary, identify in their plans areas of 'safeguarded land' between the urban area and the Green Belt, in order to meet longer-term development needs stretching well beyond the plan period. It further states that Local Authorities "should make clear that the safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development".
41. Land is allocated as such to ensure that Green Belt boundaries last for a long time and it is protected from development until a time in the future which it might be required to serve development needs. The main purpose of designating Safeguarded Land in Chorley is to ensure that the inner boundary of the Green Belt will endure in the long term rather than act as a land bank for future development. Designating land as safeguarded does not mean that its development is inevitable in the long term. Retaining this land for future development needs at this time is consistent with the purposes of designating the site as safeguarded land within the Local Plan, in accordance with the Framework.
42. The proposed development would result in the irreversible loss of part of a safeguarded greenfield site not required to meet current housing needs at this point in time. The application site is approximately 5.51 hectares whilst the overall safeguarded site BNE3.6 is 7.8 hectares. This loss weighs heavily against the proposal and is contrary to the prudent use of land and resources in an area where much of the Borough is designated Green Belt. The Framework is clear that safeguarded land is not for development at the present time (i.e. within the Plan period) and planning permission should only be granted following a Local Plan review.

Housing land supply

43. The applicant considers that the Council is unable to demonstrate a five-year housing land supply when considered against the Local Housing Need (LHN) requirement and that two of the most important policies relating to the application site, namely Core Strategy Policy 4 and Chorley Local Plan Policy BNE3, are out of date. They therefore consider that the presumption in favour of sustainable development at Paragraph 11d) of the Framework is engaged.
44. The Core Strategy policies are more than five years old (adopted July 2012), however, following the Cardwell Farm decision (Appeal ref: APP/N2345/W/20/3258889 9th March 2021) the Council now uses Core Strategy Policy 4 to determine the 5 year housing supply. The Council has a 11.2 year deliverable housing supply over the period 2020 – 2025 based on an annual housing requirement of 144 dwellings which includes a 5% buffer and takes into account the previous oversupply.
45. The proposal does provide a mix of housing on site, 123 dwellings ranging from 3-5 bedroom properties houses detached, semi-detached or mews. The residential development covers 3.69 hectares. The average net density across the site equates to 33.3 dwellings per

hectare. The provision of public open space and natural play area is 0.81 hectares. The undeveloped root protection area is 0.79 hectares.

46. The Icen Housing Study 2020 refers to broad density targets below using four broad types of location including rural locations (including villages), suburban locations, urban areas (i.e. urban fringe locations) and town centres. This site is in a suburban/urban extension location. The proposal should provide for a mix of houses.
47. For sites 5-10ha a net developable area of 60% has been applied so the yield for this site would be 115 dwellings (net developable area of 3.30 ha x 35dph, (SHELAA methodology Table)).
48. The piecemeal development of this area of safeguarded land prevents the whole allocation being masterplanned and does not allow for infrastructure and services to keep up.
49. The position of the Council in respect of Housing Land Supply is set out below:

The Euxton Lane Inquiry Decision APP/D2320/W/20/3247136 (11 August 2020)

50. The appeal was allowed and outline planning permission was granted for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane on land at Pear Tree Lane, Euxton, Chorley in accordance with the terms of the application, Ref 19/00654/OUTMAJ.
51. Para 10 of the decision states “The presumption in favour of sustainable development in paragraph 11(d) of the Framework directs that, where the policies which are most important for determining the application are out-of-date, the ‘tilted balance’ applies, whereby permission should be granted unless the policies of the Framework that protect areas or assets of particular importance provide a clear reason for refusing the development proposed, or any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole. Paragraph 73 of the Framework also requires local planning authorities (LPAs) to maintain a supply of deliverable sites sufficient to provide a minimum of 5 years’ worth of housing against their housing requirement or local housing need. Where an LPA cannot demonstrate a 5 year supply of deliverable sites, Footnote 7 of the Framework establishes that the policies of the development plan which are most important for determining the application are out-of-date”.
52. The main issues in the appeal were:
 - a. Whether or not the Council can demonstrate a 5 year supply of deliverable housing land in Chorley borough, having particular regard to the development plan, relevant national policy and guidance, the housing need or requirement in Chorley and the deliverability of the housing land supply;
 - b. Whether or not the most important policies of the development plan for determining the appeal are out of date, having particular regard to the 5 year housing land supply position and relevant national policy; and
 - c. Whether this, or any other material consideration, would justify the proposed development on safeguarded land at this time.
53. In respect of the Five Year Housing Supply, the Inspector concluded:
54. Para 36 “...I have concluded above that 569 dpa is the appropriate housing requirement figure for Chorley for the purposes of calculating the 5YHLS in this appeal. The main parties dispute the deliverability of an allocated site at Cowling Farm, for which the Council includes 112 dwellings in the supply to the end of March 2025. However, even if the Cowling Farm figure were included in the deliverable supply, 1,617 dwellings would only amount to a 2.7 year supply against the LHN calculated using the standard method, still well below the 5 year requirement. Consequently, it is not necessary for me to consider the evidence for and against the inclusion of the Cowling Farm site any further here”.

55. Para 37 "...Overall, therefore, in the light of the evidence before me at this appeal, the provisions of the development and the relevant national policy and guidance, I conclude that the Council is unable to demonstrate a 5 year supply of deliverable housing sites measured against the LHN for Chorley".
56. In respect of the most important development plan policies the Inspector concluded:
57. Para 44 "... Policies 1 and 4 of the CLCS and Policy BNE3 of the CLP are the 'most important' policies in this case, defining the need and appropriate locations for housing in Chorley and the limitations on development on the appeal site as Safeguarded Land".
58. Para 45 "... The courts have established that a policy may become 'out-of- date' where it is overtaken by a change in national policy. That is clearly the situation applying to Policy 4 of the CLCS, where its housing requirements were derived from the former Regional Spatial Strategy for the North West, which in turn relied on the 2003-based household projections. This, combined with the introduction of the standard method in the 2018 Framework and the application of the 2014-based household projections, renders the housing requirements in Policy 4 out-of-date".
59. In respect of Policy 1 the Inspector at para 47 states:
60. "In this case, Policy 1 does not of itself define settlement boundaries or limit development only to sites within settlements in Chorley borough. The evidence before me does not show that Policy 1 would unreasonably constrain the ability of the borough to accommodate its standard method housing requirement of 569 dpa. As such, I do not consider that Policy 1 of the CLCS is out-of-date for the purposes of this appeal".
61. In respect of Policy BNE3 the Inspector concluded:
62. Para 49 "...My conclusions on the 5YHLS above indicate that the restriction on the development of Safeguarded Land in Policy BNE3 is preventing the Council from being able to provide an adequate housing land supply, against its standard method LHN within the current plan period to 2026".
63. Para 50 ".....This is further supported by the fact that the emerging CLLP identifies all but one of the Areas of Safeguarded Land in Policy BNE3, including the appeal site, as site proposals to meet the borough's housing needs for the period 2021-2036. Whilst the emerging CLLP is at an early stage and the final selection of housing allocations will be determined through the local plan examination process, it clearly recognises that land currently safeguarded in Policy BNE3 for development needs beyond the end of the CLP plan period in 2026, may need to be released before then to meet a housing requirement based on the standard method LHN".
64. At Para 51 the Inspector concludes "In this case the 'basket' comprises Policies 1 and 4 of the CLCS and Policy BNE3 of the CLP. Although the overall spatial strategy for Central Lancashire in Policy 1 is not itself out-of-date, the policies establishing the amount of housing needed in Chorley borough and designating the appeal site as Safeguarded Land, so preventing it from contributing to those needs, are out-of-date. On this basis therefore, taken as a whole, I conclude that the 'most important' policies for determining this appeal are out-of-date".
65. At Para 98 the Inspector sets out "Paragraph 11(d) of the Framework is also an important material consideration in this case. I have concluded above that the most important policies for this decision are out-of-date, both on their own merits and because the Council is unable to demonstrate a 5YHLS against the standard method LHN for Chorley. As such the 'tilted balance' in paragraph 11(d) is engaged for this decision. This means that planning permission should be granted unless: i) the policies of the Framework that protect areas or assets of particular importance, as defined in Footnote 6, provide a clear reason for refusing the development proposed; or, ii) any adverse impacts of granting permission

would significantly and demonstrably outweigh the benefits, when assessed against the policies of the Framework taken as a whole”.

The Memorandum of Understanding

66. The three councils of Chorley, Preston and South Ribble entered into a Memorandum of Understanding (MOU 1) in September 2017 and this document provided clear evidence of the close working relationship between the three authorities in plan-making, building on the extant Core Strategy and committing to the preparation of a new single Central Lancashire Local Plan, which is now progressing.
67. MOU1 reflected the single HMA across Central Lancashire and is a policy-on response to the findings of the Strategic Housing Market Assessment (SHMA published in 2017) which concluded that: ‘the spatial distribution of need within the HMA varies depending on judgements made on projections. There has been an historical over-delivery of homes in Chorley relative to housing requirement policies, compared to an under-delivery in Preston and South Ribble’.
68. In May 2020, the three Councils approved an addendum to MOU2, entitled Joint Memorandum of Understanding & Statement of Co-operation Relating to the Provision and Distribution of Housing Land: Statement of Common Ground.
69. MOU2 aggregates the minimum annual Local Housing Need standard method figures for the three Local Planning Authorities and redistributes that housing need across the Central Lancashire area. The redistribution relies on evidence in the Central Lancashire Housing Study (March 2020) (CLHS) produced to inform the preparation of the Central Lancashire Local Plan. But it also seeks to provide an interim set of district level housing requirements, which MOU2 states is ‘to reflect the most sustainable pattern of development in the sub-region’ and ‘to align with City Deal growth aspirations in Preston and South Ribble.
70. As at 1st April 2020, the application of the agreed distribution ratio to this aggregate figure results in the following requisite minimum housing requirements for each Central Lancashire authority:

Preston:	404 dwellings pa
South Ribble:	328 dwellings pa
Chorley:	278 dwellings pa
Total:	1,010 dwellings pa
71. The Inspector for the Pear Tree Lane Inquiry considered the MOU and stated:
72. Para 23 “Whilst paragraph 2a-013 of the PPG does not prohibit LPAs in joint plan areas from relying on a redistribution of LHN figures to determine planning applications in advance of the adoption of their plans, this paragraph ostensibly applies to plan-making rather than decision-making. This is clear from the question it seeks to answer and its repeated references to spatial development strategies and policy-making. The national guidance on how housing need should be calculated for the purposes of decision-making is found in section 68 of the PPG on Housing supply and delivery”.
73. Para 24 “The courts urge treating the PPG with considerable caution when there is a dispute about its interpretation, given that it is intended to be guidance not policy. However, the guidance in the PPG on calculating housing need and the 5YHLS for decision-making purposes mirrors the policy in paragraph 73 and footnote 37 of the Framework, that where the adopted housing requirement is more than 5 years old and the strategic housing policies need updating, as in Chorley, the 5YHLS will be measured against the LHN using the standard method”.
74. Para 25 “The standard method was introduced into national policy in the 2018 Framework as the new baseline for assessing 5YHLS in the absence of an up to date plan, in order to incentivise LPAs to get plans in place. Therefore, it is reasonable to conclude that the guidance in paragraph 2a-013 of the PPG is not intended to allow for a redistribution of

LHN in joint plan areas to provide the basis for calculating 5YHLS in decision-making in advance of that distribution being properly tested at examination and found sound. For the PPG to do so would run counter to the definition of LHN in the Framework and the clearly stated policy on the application of the standard method in decision-making”.

75. Para 26 “Nevertheless, to date the courts have held that it is not unlawful for an LPA to rely on a housing requirement or an apportionment of housing need for decision-making purposes, even if this is not contained in an adopted plan. I recognise that the St Modwen and Oadby & Wigston judgements predate the standard method and the Harrogate judgement related to a planning permission granted before the latest version of the Framework made clear that LHN could only be calculated using an alternative approach in the context of preparing strategic policies. However, these judgements remain and establish the principle that an apportionment of housing need in an emerging joint plan can be a material consideration in decision-making. Therefore, I consider below the evidence for and against the apportioned housing need figure based on the analysis in MOU2 and the weight that should be attached to it.”
76. In conclusion the Inspector stated:
77. Para 31 “.....Whilst MOU2 was the subject of consultation, it is evident that there are significant and substantive objections to the proposed redistribution of the LHN and the evidence which supports it, which remain outstanding and will need to be resolved, ultimately through the CLLP examination. The Court of Appeal has established that ‘it is not for an Inspector on a S78 appeal to seek to carry out a sort of local plan process so as to arrive at a constrained housing requirement figure’ “.
78. Para 32 “....Paragraph 48 of the Framework allows weight to be given to policies in emerging plans, according to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency to the Framework. This guides my assessment of the weight that can be given to a housing requirement based on the redistribution of LHN in MOU2, as a policy document which informs the emerging CCLP. The emerging plan is at a very early stage and carries limited weight in this appeal. Although the MOU2 redistribution is an agreed position by the LPAs, there are significant unresolved objections to the recommended figures, which may result in Chorley’s apportionment being modified following examination. For these reasons and in the light of my consideration of the evidence submitted, I attach limited weight to the housing requirement figure for Chorley of 278 dpa in this appeal”.
79. Para 33 “....However, full weight can be attached to the standard method LHN figure for Chorley, given that its value and use in this case are entirely consistent with the Framework and the PPG. Accordingly, I conclude that the figure of 569 dpa should be used for the purposes of calculating the 5YHLS in this appeal. This would also support the Government’s objective, in paragraph 59 of the Framework, of significantly boosting the supply of homes”.
80. Para 34 “...In reaching this view, I have had regard to the previous decision for the appeal site in 2017. Whilst the Inspector in that appeal applied a redistribution of the objectively assessed housing need (OAN) for Chorley based on the 2017 version of the MOU2 (MOU1) in order to calculate the 5YHLS, the apportionment in MOU1 aligned with the adopted CLCS, rather than an alternative arrangement. In addition, national policy on the calculation of 5YHLS at the time of that decision was very different, in that it predated the 2018 Framework and the introduction of the standard method. However, I also note that in the Chain House Lane appeal decision, which dealt with the draft version of MOU2 in the context of the new Framework and the standard method, the Inspector gave limited weight to the draft MOU2 and concluded that the standard method LHN figure for South Ribble should be used in that case. I have explained my reasoning for attaching limited weight to a housing requirement based on the redistribution of LHN in MOU2 in the light of the evidence before me in this case”.

Preston Withdrawal from the MOU

81. In light of the Pear Tree Lane, Euxton appeal decision Preston City Council withdrew from the MOU agreement on 4 November 2020.

Chain House Lane, Whitestake, Preston Judgement 21 August 2020

82. The decision was quashed, in relation to the claimant's contentions in ground 5. A new Inquiry was held in March 2021.

Land at Cardwell Farm, Garstang Road, Barton, Preston, PR3 5DR, APP/N2345/W/20/3258889 (9th March 2021)

83. The appeal was allowed and planning permission granted. The Inspector identified four main issues of which two had implications for Chorley. These are:
1. Whether the Council can demonstrate a five-year supply of deliverable housing sites, having particular regard to the housing need or requirement for Preston; and,
 2. Whether paragraph 11 d) ii. of the Framework is engaged either by reason of a lack of a five-year supply of deliverable housing sites or because the most important policies for determining the appeal are out-of-date.

84. The Inspector concluded the following:

The review of the Core Strategy housing requirement via MOU1 and the 2017 SHMA is the only footnote review to have taken place.

Para 24 "...Paragraph 73 of the Framework requires that local planning authorities (LPA) should identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategic policies, or against their local housing need (LHN) where the strategic policies are more than five years old. Footnote 37 of the Framework indicates that where strategic policies have been reviewed and found not to require updating they should still be used as a basis for the housing requirement even if they are more than five years old".

Para 25 ".....Planning Practice Guidance³ (PPG) contains similar wording to Footnote 37 but also notes that the housing requirement figures identified in adopted strategic housing policies should be used for calculating the five-year housing land supply figure where the strategic housing policies have been reviewed within the last five years and found not to need updating. This wording in the PPG was introduced in July 2019. It followed on from wording contained in the 2018 version of the PPG which reflected the July 2018 Framework and the introduction of the standard method for calculating LHN".

Para 26 ".....Footnote 37 and the related PPG were introduced without any transitional arrangements. Therefore, the effect of national policy and guidance is that any review of the strategic housing requirement undertaken from July 2014 onwards which found the requirement not to require updating would amount to a 'Footnote 37 Review'. Whilst PPG is not policy, it does not depart from the Framework on this subject but seeks to assist with the time period whereby a review has currency".

Para 27 "...The development plan minimum housing requirement for Preston of 507 dwellings per annum (dpa) is set out in Policy 4 of the CLCS. This is out of a total requirement for Central Lancashire of 1,341 dpa. This requirement was set by adopted strategic policies which are more than five years old".

Para 28 "...However, in October 2017, some five years after the adoption of the CLCS, the Central Lancashire authorities of Preston, Chorley and South Ribble entered into a Joint Memorandum of Understanding and Statement of Co-operation relating to the provision of Housing Land (MOU1). MOU1 agreed that the housing requirement in the CLCS should be applied until the adoption of a replacement plan".

Para 29 “....MOU1 was informed by a Strategic Housing Market Assessment (SHMA) which indicated that, if each LPA were to meet its own Objectively Assessed Need, the total requirement for Central Lancashire would only exceed the Policy 4 requirement by some 20 dpa, albeit that different distributions would result depending on whether demographic or economic growth figures were used. The SHMA used the 2014-based household projections as the starting point for assessing housing need”.

Para 30 “.....MOU1 noted that continuing to apply the CLCS housing requirement would, amongst other things, reflect the spatial pattern of development set out in Policy 1 of the CLCS, including directing housing growth to priority areas such as Cottam and North West Preston where land had been allocated to deliver significant new housing in accordance with the Preston, South Ribble and Lancashire City Deal; that site allocations had been determined to meet the spatial pattern of development in the CLCS; that the CLCS requirement reflects the high levels of containment for both travel to work and housing market areas (HMA); and that the Policy 1 apportionment would help to address net out-migration from Preston to other parts of the HMA. That the Policy 4 figures were based on the defunct North West Regional Spatial Strategy and had a baseline date of 2003 were not factors that were referred to in MOU1 and, therefore, on the face of it were not given much weight”.

Para 31 “.....Although it was entered into before the publication of the 2018 Framework, the Council and the appellant agree that MOU1, supported by evidence in the SHMA, was a ‘Footnote 37 review’. Based on the information before me, I see no reason to take a different view”.

The decision of Preston to revert to standard method after withdrawal from MOU2 did not constitute a review and was not a robust process.

Para 32 “.....However, the Council considers that matters have moved on from MOU1. MOU1 included a clause whereby the document was to be reviewed no less than every three years but would also be reviewed when new evidence that renders the MOU out of date emerges. It is more than three years since MOU1 was entered into. The Council points to the introduction of the standard method for assessing LHN as being a significant change in circumstances. If the LHN figure is used, Preston would be required to deliver 250 dpa”.

Para 33 “.....Footnote 37 and PPG do not indicate whether, once reviewed and found not to require updating, the development plan housing requirement can be reviewed again outside the formal local plan process. However, the implications of paragraphs 31-33 of the Framework is that it is anticipated that relevant strategic policies will need updating through a new local plan or partial review of a local plan rather than through a ‘review of a review’. That said, it seems to me that there may be justification to revert to LHN even if the requirement had been previously reviewed and found not to require updating. However, the decision to depart from the findings of a review undertaken in the last five years would need to be supported by a robust process”.

Para 34 “.....In this respect the Central Lancashire LPAs entered into a second Memorandum of Understanding in April 2020. This was augmented by a Statement of Common Ground in May 2020 reflecting a slight change in LHN housing numbers for April 2020. However, for the purposes of this decision the changes are not significant, and I will refer to these documents collectively as MOU2”.

Para 35 “.....MOU2 took into account the Central Lancashire Housing Study (CLHS), published in March 2020. The CLHS was commissioned to inform the review of the CLCS. However, the CLHS did not assess housing need in the way the SHMA did. It focused on LHN as a basis for the housing requirement, not on whether to plan for a higher level of need. In addition to findings in relation to affordable and other specific housing needs, it recommended that, pending the adoption of a new local plan, LHN should be used as a basis for assessing five-year housing supply but that the LHN should be redistributed such that Preston’s requirement would be 404 dpa. However, the recommendations did not

appear to consider that a Footnote 37 review had already been carried out, and started with the assumption that the LHN should be used as the basis for the housing requirement”.

Para 36 “...As a result, MOU2 sought not to use solus LHN figures or retain the CLCS requirement but redistribute the LHN figures across the Central Lancashire LPAs. The veracity of MOU2 was tested at an inquiry in the summer of 2020 relating to a development of up to 180 dwellings at Pear Tree Lane, Euxton, Chorley. The Inspector in his decision gave limited weight to the figure for Chorley derived from MOU2 because it was outside the local plan process. He noted that PPG allows the housing requirement for a joint plan making authority to be distributed across the plan area but this should be done through the plan making process, not through decision-making. I agree with this analysis and that Footnote 37 effectively provides two principal options for an LPA housing figure, either the adopted strategic policy requirement or the LHN”.

Para 37 “...The Inspector agreed that the LHN figure should be used for Chorley. However, it appears that the option of using the CLCS requirement was not put to him. The only reference to MOU1 in his decision is in relation to a previous appeal for the Pear Tree Lane site in 2017. In other words, it was not argued that MOU1 still had currency as a Footnote 37 review”.

Para 38 “...Up to December 2019 Preston continued to use the CLCS requirement for the purposes of assessing its five-year housing land supply. This was in the knowledge of the longevity of the CLCS requirement and the fact that it was based on calculating need in accordance with the 2012 Framework. However, following an appeal decision relating to Chain House Lane, South Ribble, where the Inspector concluded that MOU1 did not constitute a Footnote 37 review and that LHN should be used, the Council decided to use the LHN figure. However, the Chain House Lane decision was quashed in the High Court. The judge found that the Inspector’s reasoning for concluding that MOU1 was not a review was inadequate”.

Para 39 “....Subsequently, following the Pear Tree Lane decision, the Council withdrew from MOU2 because the Inspector ‘has attributed limited weight to the MOU in determining the appeal.’ The Council’s decision does not indicate on what basis the housing requirement or the five-year supply will be derived as an alternative to MOU2, albeit it is noted that the Central Lancashire LPAs are in the process of reviewing the Local Plan which will consider the matter of distribution of housing”.

Policy 4 should be used for the purposes of assessing whether there is a minimum of five years’ worth of housing against the housing requirement.

Para 40 “.....Pulling this chain of events together, to my mind the review of the CLCS housing requirement through MOU1 is the only Footnote 37 review that has been undertaken. The decision to revert to the LHN figure after withdrawal from MOU2 did not constitute such a review as it has not followed a robust process. The factors set out in paragraph 30 above are still relevant today. In addition, the higher housing requirement derived from the CLCS would deliver more affordable housing. Therefore, Policy 4 of the CLCS should be used for the purposes of assessing whether there is a minimum of five years’ worth of housing against the housing requirement”.

Based on the CLCS requirement of 507 dpa and factoring in past under-supply and a 5% buffer, there would be a 4.95 years supply of housing land.

For the above reasons, the Council cannot demonstrate a five-year supply of deliverable housing sites, having regard to the housing requirement for Preston.

85. The Inspector concluded that the adverse impacts of the proposed development relating to the conflict with the development strategy and effects on character and appearance would not significantly and demonstrably outweigh the considerable economic and significant social benefits.

Summary - the tilted balance

86. Paragraph 11 d (ii) of The Framework essentially comes into play whereby the most important policies for determining an application are out of date, then planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
87. Whilst the Inspector accepted that there would be some limited harm to the character and appearance of the area, in terms of benefits, provision of new housing would bring construction supply chain jobs, places for economically active to live, increased local spend and greater choice in the market. The affordable homes would be a benefit and the proposal would boost supply, therefore he attached moderate weight to the economic benefits and significant to the social benefits. He concluded the adverse impacts of the proposed development relating to the conflict with the development strategy and effects on character and appearance would not significantly and demonstrably outweigh the considerable economic and significant social benefits.
88. Taking account of the Cardwell decision para 42 relating to Preston's housing supply the calculation for Chorley is:
89. At 1st April 2020 there was a total supply of 1,617 (net) deliverable dwellings which is a 11.2 year deliverable housing supply over the period 2020 – 2025 based on the annual housing requirement of 144 dwellings which includes a 5% buffer and takes into account the previous oversupply.
90. The tilted balance is not, therefore, engaged.

Emerging Central Lancashire Local Plan

91. The assessment of Safeguarded Land is being undertaken as part of a comprehensive review of the Central Lancashire Local Plan (CLLP). This assessment process will ensure that the most suitable areas of Safeguarded Land are released, if required, and brought forward for development where appropriate, thereby minimising harm to Green Belt boundaries. Granting planning permission on safeguarded land outside that process means that the opportunity is not taken to ensure that the decisions taken are least harmful.
92. There is a total of 11 Safeguarded Land sites designated in the Chorley Local Plan (which includes the Euxton Lane appeal site and adjacent area forming site BNE3.9 Policies Map 1, Chorley Borough). The assessment should not be carried out ad-hoc through the development management process, rather as part of a holistic Strategic Housing Economic Land Availability Assessment and sustainability appraisal process. The new Local Plan will cover the whole single housing market area.
93. Call for Site submissions for housing use on the safeguarded land BNE3.6 site (Annex 5 Issues and Options consultation for the Central Lancashire Local Plan (CLLP) include:
 - 19C064 Blainscough, land south of Grange Drive
 - 19C108 South Blainscough – this also extends into the Green Belt
94. For note there were two submissions on land in the Green Belt adjacent to the BNE3.6 site on land West of Blainscough lane - 19C012 and 19C016.
95. Part of the safeguarded area BNE3.6 was included in the Issues and Options consultation for the Central Lancashire Local Plan (CLLP) (Annex 1 to this consultation – site reference 19C256x). The Annex 1 site is slightly smaller than the application proposal which takes additional land at Blainscough Hall. Public consultation on this document was between November 2019 – February 2020.
96. This application is for a proposed residential development of the northern part of the safeguarded area. The wider safeguarded area will be considered as part of development

of the CLLP, which will allow for the future of the safeguarded area to be considered as a whole. This will allow for all necessary infrastructure provision to be considered as part of the wider area.

Central Lancashire Local Plan: Site Assessment work

97. Three call for sites exercises have been completed to date for the CLLP. The results from call for sites 1 and 2 were consulted on as part of the Issues and Options Consultation which ran between November 2019 and February 2020, during this time, a further window was opened for additional site suggestions (Call for sites 3).
98. Detailed work to assess the sites commenced in February 2021 following completion of Level 1 Strategic Flood Risk Assessment (SFRA). This being undertaken in line with Strategic Housing and Economic Land Availability Assessment (SHELAA) methodology.
99. Officers in Chorley, South Ribble and Preston Councils finished their initial assessment of the sites in January 2021, and their findings have been collated by the CLLP Team into the SHELAA database. The CLLP Team are now starting to assess the sites in detail to look at their suitability. This work will also include undertaking Integrated Assessment (IA) and Habitats Regulation assessment (HRA) and viability assessment of the sites, and will bring in findings of the SFRA as well as consultation responses on the specific sites from Statutory Consultees and local residents.
100. The direction of growth and development of a spatial strategy for the area is also in early development, with the Councils starting to look at the level of growth likely to be needed over the plan period and how the plan should look to direct this. There is still considerable work to be done on this, including testing the emerging options in terms of transport and other infrastructure needs as they develop.
101. It is important to note that until all these stages of work have been completed, no decision on sites to be taken forward through the Central Lancashire Local Plan can be made.
102. When considering the acceptability of the principle of the development and taking in account the above factors as set out in this section, the proposed development is unacceptable as a matter of principle, in planning policy terms.
103. Notwithstanding this, it is necessary to consider whether there are any other material considerations that would outweigh the non-compliance with the development plan and identify any resultant harm.

Ecology

104. *Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species. The policy also requires, among other things, that where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.*
105. The policy also requires, among other things, that where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.
106. The application is accompanied by a Preliminary Ecological Appraisal which was carried out on the 21st July 2020.

107. The appraisal identifies 3no. ponds within 250 metres of the site. One of these is within the site itself, the other is just outside the edge of the site approximately 12 metres away, and a third is located 240 SW of the site, separated by the A49 highway. The appraisal acknowledges that the two closest ponds should be surveyed, however, none have been provided as part of the application.
108. Greater Manchester Ecology Unit (GMEU) have assessed the application and advise that the surveys need to be carried out prior to determination of the application as it is essential that the presence, or otherwise, of protected species is established and the extent to which they may be affected by the proposed development is fully assessed.
109. The appraisal identifies one of the trees within the site as having bat roosting potential, however, it is unclear if this tree is identified for removal as part of the application. Notwithstanding this, the layout is indicative and any reserved matters application would be expected to contain an updated arboricultural report to account for the detailed layout and an assessment of the tree for bats (bat emergence survey) would also be required if this tree (TN4) was identified for removal.
110. The appraisal provides that the site has high quality bat foraging potential through a combination of the trees, hedgerows and extensive woodland edge providing linear features. These would largely be retained by the proposed layout, although it is important to recognise that the layout is indicative at this stage. However, at this stage, GMEU advise that the risks of negative impacts on the favourable conservation status on foraging and commuting routes is currently sufficiently low that no further information is required. If, however, outline planning permission was granted and the reserved matters layout changed significantly to impact on these linear features, bat activity surveys may be required at that time, including an external lighting strategy due to the effects of lighting on bat foraging.
111. Otter and water voles have not be found to be present on site, however, there were difficulties in surveying. As otters often wander from watercourse, GMEU advise that whilst the risk to them is low, the submission of reasonable avoidance measures should be submitted due to indirect impacts during construction. This could be subject to a planning condition.
112. Some hedgerows and trees are identified for removal as part of the indicative layout to facilitate roads etc, however the majority are retained. GMEU identify a low risk to ground nesting birds and would not expect the site to be of value to species such as lapwing or skylark. However, all British birds nests and eggs (with some exceptions) are afforded protection under Section 1 of the Wildlife & Countryside Act 1981, as amended and GMEU recommend a condition to prevent works to trees or shrubs during bird nesting season (1st March and 31st August) unless detailed nesting surveys are carried out. This could be subject to a planning condition.
113. The appraisal identifies an invasive plant species on the site and GMEU advise that a method statement detailing eradication / control / avoidance measure should be submitted. This could be subject to a planning condition.
114. Given the proximity of Tanyard Brook to the site, which may be negatively impacted upon during construction, GMEU advise that a Method Statement to protect Tanyard Brook during construction (i.e. from surface water run-off, spillages, dust, debris etc) should be submitted. This could be subject to a planning condition.
115. In terms of mitigation for any losses such as trees, hedgerows, the extent of grassland, and to secure biodiversity enhancements, an ecological enhancement management plan could be secured by way of condition.
116. Whilst most impacts on ecological interests are satisfactory, or could be satisfactorily addressed by way of planning condition, the application contains insufficient information to

determine the presence or otherwise of great crested newts and, therefore, the impact of the proposed development on this protected species cannot be fully assessed as material consideration in the determination of the application. The application is contrary to Chorley Local Plan 2012 -2026 policy BNE9.

Heritage

117. The Framework recognises that heritage assets range from sites and buildings of local historic value to those of the highest significance. The Framework states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be).
118. The Framework also states that local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible.
119. The Lancashire County Council Archaeology (LCCA) have reviewed the application and advise that Blainscough Hall, which falls outside the application site, is the site of a moated manor house possibly extant since the 1200s (PRN 906).
120. It should be noted that this site has no statutory designation as a heritage asset and no local designation.
121. LCCA state that associated with Blainscough Hall is an oval enclosure which is outside the proposed development area but which may be the site of a hunting park for deer, perhaps indicating a change in use for the moated site from a farm or estate management centre to a hunting lodge with its own deer park (PRN 1382). In the wider landscape is the line of a Roman road which, as extrapolated from known sections, runs to the east of the development site, but the exact route at this point is not certain. They also advise that there is also the possibility of the site having buried remains of sites as yet unknown. Increasingly medium and large housing developments are uncovering sites and features of significance and which are not visible on the surface.
122. LCCA also state that the known site of the manor house is in the southern corner of the site, in an area proposed as a "natural play" area and green buffer on the Design and Access Statement plans. The proposals for exactly what will be done in this area to create the "natural play area, and its long-term management, should also be considered carefully.
123. LCC advise that there is a lack of assessment of the proposed development on the known site and the area of farmland to the north of this (the bulk of the site), and that a geophysical survey of the site should be carried out and the results submitted prior to determination of the application, but acknowledge that it could be secured by condition.
124. Whilst it is recognised that the application does not consider the moated manor, which is a non-designated heritage asset, an investigation could be secured by way of condition, if the application was approved, and the historic environment could be appropriately recorded.

Highway safety

125. *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.*

126. *Policy ST1 (New provision of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development) stipulates that new development and highways and traffic management schemes will not be permitted unless they include appropriate facilities for pedestrian, cycle parking facilities, and /or cycle routes. The policy requires, among other things, that proposal should provide for facilities for pedestrians and cyclists to facilitate access on foot and by bicycle to nearby residential, commercial, retail, educational and leisure areas, where appropriate; and additional footpaths, bridleways and cycleway routes between the countryside and built up areas where appropriate.*
127. Patterns of movement, connectivity and linkages are a key element in achieving a high quality residential development to promote sustainable transport options for people. In this context, the Framework is clear that applications for development should give priority first to pedestrian and cycle movements, both within the scheme and with neighbouring areas; and also that that proposals should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles, avoid unnecessary street clutter, and respond to local character and design standards. This is reinforced in policy ST1 of the Chorley Local Plan 2012 -2026 which expects proposals to provide facilities for pedestrians to access, on foot, nearby services and amenities.
128. Manual for Streets recommends that footways should normally be provided where pedestrians are likely to be present in significant numbers, to create an environment in which they can walk, or stop and chat, without feeling intimidated by motor traffic and to make it easier for them to move around.
129. The application is on outline form, however, access is a detailed matter. Access is sought from Grange Drive via two access points.
130. The submitted indicative plan shows that the existing Public Rights of Way which cross the site would be retained as part of a green network within the site.
131. Lancashire County Council Highway Services have been consulted in relation to the proposed development, but had not finalised their report at the time of writing. The comments of Lancashire County Council as the Local Highway Authority (LHA) will therefore be reported on the addendum prior to the Committee meeting.
132. On the matters of parking provisions policy ST4 'Parking Standards' of the Chorley Local Plan 2012-2026 requires that proposals for development will need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan. Appendix A identifies the Council's minimum parking standards for new development. It is not currently known how many bedrooms would be provided within each dwelling. It is, however, considered that there is sufficient room on-site for the provision of parking spaces to accord with policy ST4 at reserved matters stage and their provision could be required by planning condition.
133. Any internal site layout requirements such as Manual for Streets, turning heads, swept path analysis could all be secured at reserved matters stage.

Impact on the character and appearance of the area

134. *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, among other things, the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area; and that the proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of*

these features, then mitigation measures to replace the feature/s will be required either on or off-site.

135. *Policy BNE10 (Trees) Stipulates, among other things, that proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.*
136. *Core Strategy policy 17 seeks to ensure that the design of new buildings takes into account the character and appearance of the local area, including among other things, linking in with surrounding movement patterns and not prejudicing the development of neighbouring land; and protecting existing landscape features and natural assets.*
137. The application seeks outline planning permission for up to 123 no. dwellinghouses with the illustrative masterplan showing a layout which derives from an access loop off two points from Grange Drive to the north of the site. The layout provides a central green corridor through the site from the access point connecting to the greenspace at Tanyard Brook, providing a key focal point for the development. This is, however, indicative and detailed design is reserved for latter consideration at reserved matters stage.
138. When considering any development proposal, the Council must be mindful of the National Planning Policy Framework (The Framework) that states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development. The Framework also states that planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
139. Chorley Council plans positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes and seeks to create well-mixed and integrated developments which avoid segregation and have well-planned public spaces that bring people together and provide opportunities for physical activity and recreation. The provision of connective footpaths and pedestrian permeability through the wider site is an important aspiration for the development of the site when considering the acceptability of the principle of the development.
140. Whilst the application illustrates connectivity to the existing residential estate to the north, via Grange Drive, with footpaths and green infrastructure as part of the development site itself, the proposal is designed in isolation from the wider BNE3.6 allocation. It presents a piecemeal approach, whereas the Council would expect a comprehensive masterplan of the site as a whole.
141. The layout, appearance, scale and landscaping aspects of the proposal do not form part of this outline application and would follow at any reserved matters stage. Detailed design would be addressed at this stage, having regard to the character and appearance of the site and the area.

Amenity

142. *Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.*
143. The application proposes up to 123 no. dwellings on land adjacent to existing residential properties, the majority of which back on to the site. The submitted plan shows an indicative

layout, although this is not for approval at this stage. Any reserved matters application would need to ensure that the amenity afforded to all neighbouring residential properties is safeguarded from any adverse impacts such as overlooking, overbearing impacts and loss of light. In addition, any proposal would need to ensure acceptable living conditions for future occupiers.

144. The site is adjacent to an industrial site and the application is accompanied by a Noise Assessment. This recognises that some properties, i.e. those nearest to Blainscough Lane and the industrial estate will experience noise levels beyond the set ambient level and, therefore, mitigation is recommended in the form of enhanced glazing and mounding/ acoustic screening in some areas. As the layout is only indicative, full mitigation can only be established at reserved matters stage, however, it is considered that the application demonstrates that a technical solution can be achieved to ensure that any future occupiers are not adversely affected by noise from existing neighbouring uses.
145. Any impacts during the construction phase would be temporary and suitable mitigation measures could be imposed by a planning condition, for example, through a Construction Environmental Management Plan.

Drainage and flood risk

146. *Core Strategy Policy 29 (Water Management) seeks to improve water quality, water management and reduces the risk of flooding in a number of ways including, among other things, appraising, managing and reducing flood risk in all new developments.*
147. The site lies in Flood Zone 1, as defined by the Environment Agency Flood Maps for Planning. Flood Zone 1 has the lowest probability of flooding (from rivers or sea) and residential development is appropriate in flood zone 1 in terms of the flood risk vulnerability classification as set out in the Planning Practice Guidance at Table 3.
148. The application is accompanied by A Flood Risk Assessment which has been assessed by united Utilities and the Lead Local Flood Authority (LLFA).
149. Both United Utilities and the LLFA raise no objection to the application, but drainage conditions are recommended. Having regard to the advice obtained from these consultees, it is considered that satisfactory drainage of the proposed development could be secured by way of conditions.

Affordable housing

150. Core Strategy policy 7 sets down the approach to the delivery of affordable and special needs housing:
- “Subject to such site and development considerations as financial viability and contributions to community services, to achieve a target from market housing schemes of 30% in the urban parts of Preston, South Ribble and Chorley and of 35% in rural areas on sites in or adjoining villages.....”*
- “Aside from rural exception sites the minimum site size threshold will be 15 dwellings (0.5 hectares or part thereof) but a lower threshold of 5 dwellings (0.15 hectares or part therefore) is required in rural areas.”*
151. The adopted Central Lancashire Affordable Housing Supplementary Planning Document provides additional information on the delivery of affordable housing, with paragraph 34 stating:
- “The size of development should not be artificially reduced to reduce or eliminate the affordable housing requirement as set out in the Core Strategy and at page 5 of this document, for example by sub-dividing sites or reducing the density of all or part of a site.”*

152. However, the Framework requires that affordable housing should only be sought for residential developments that are major developments (10 or more dwellings). The affordable housing threshold in rural areas of 5 dwellings in Core Strategy Policy 7 has, therefore, now been replaced by the Framework threshold of 10 dwellings.
153. In accordance with Core Strategy Policy 7, 30% of the dwellings are required to be affordable. This equates to 37no. dwellings. 70% (26no.) of these should be social rented and 30% (11no.) should be shared ownership.
154. The applicant is proposing 30% affordable housing which is in accordance with Core Strategy Policy 7.
155. The house types to be provided will be determined at the reserved matters stage.
156. This would need to be secured through a Section 106 legal agreement if the application was approved.

Public open space

157. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:

Amenity Greenspace:

158. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.
159. There is currently a deficit of provision in Chisnall in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 10 or more dwellings the required amenity greenspace should be provided on-site. The amount required is 0.2155 hectares. A maintenance cost of £86,100 is also required for a 10 year period if private maintenance is not proposed.

Provision for children/young people:

160. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.
161. There is currently a surplus of provision in Chisnall in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the ward is therefore not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (sites ref: 1472 Play area opposite 14 Manor Way, Coppull; 1373.1 Byron Crescent Play Area, Coppull; and 1373.2 Byron Crescent MUGA, Coppull). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

Parks and Gardens:

162. There is no requirement to provide a new park or garden on-site within this development.
163. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace:

164. There is no requirement to provide new natural/semi natural greenspace on-site within this development.

165. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments:

166. There is no requirement to provide allotment provision on site within this development.

167. The site is not within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site, a contribution towards new allotment provision is therefore not required from this development.

Playing Pitches:

168. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.

169. The total financial contribution required from this development is as follows:

Amenity greenspace	= £86,100
Equipped play area	= £16,482
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £196,677
Total	= £299,259

170. A financial contribution of £299,259 is required and this would need to be secured through a Section 106 legal agreement if the application was approved.

Sustainability

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

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

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

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

Education

173. Central Lancashire Core Strategy policy 14 (Education) seeks to provide for education requirements in a number of ways including asking developers to contribute towards the provision of school places where their development would result in or worse a lack of capacity at existing schools.

174. Lancashire County Council, as the Education Authority, seek to secure financial contributions towards any additional school places required as a result of new housing development in order to mitigate the impact upon the education infrastructure which new housing developments may have.

175. The latest information available at this time is based upon the 2021 School Census and resulting projections. Based upon the latest assessment, LCC would require a contribution for 18 secondary school places, however, no primary places are required.

176. Calculated at the current rates, this would result in a claim of:

18no. Secondary places: £415,111.50

177. This assessment represents the current position on 25th March 2021.

178. A financial contribution of £415,111.50 is required and this would need to be secured through a Section 106 legal agreement if the application was approved.

Employment skills provision

179. The Central Lancashire Employment Skills Supplementary Planning Document (SPD) was adopted in September 2017. The SPD introduces Employment Skills Statements and provides clarity as to how this requirement relates to the relevant policies set out in the Core Strategy and Local Plan as well as the guidance set out in the Framework. The SPD goes on to state that one of Central Lancashire's priorities is to encourage economic growth within Central Lancashire that benefits the people and businesses in the three boroughs. The SPD seeks to;

- Increase employment opportunities by helping local businesses to improve, grow and take on more staff
- help businesses to find suitable staff and suppliers, especially local ones
- improve the skills of local people to enable them to take advantage of the resulting employment opportunities
- help businesses already located in Central Lancashire to grow and attract new businesses into the area

180. The SPD requires development over certain thresholds to be accompanied by an Employment and Skills Statement to ensure the right skills and employment opportunities are provided at the right time. This is to the benefit of both the developer and local population and covers the following areas:

- Creation of apprenticeships/new entrants/graduates/traineeships
- Recruitment through Job Hub and Jobcentre plus and other local employment vehicles.
- Work trials and interview guarantees
- Vocational training (NVQ)
- Work experience (14-16 years, 16-19 years and 19+ years) (5 working days minimum)
- Links with schools, colleges and university

- Use of local suppliers
- Supervisor Training
- Management and Leadership Training
- In house training schemes
- Construction Skills Certification Scheme (CSCS) Cards
- Support with transport, childcare and work equipment
- Community based projects

181. It is therefore recommended that a condition requiring an employment and skills plan is attached to any grant of planning permission.

Benefits of the scheme

182. The Council considers that the adopted housing land supply policies are up to date, therefore the proposal is contrary to the development plan. Paragraph 12 of the Framework states "Where a planning application conflicts with an up-to-date development plan [...] permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material considerations in a particular case indicate that the plan should not be followed."

183. In this instance it has been identified that the proposed development is contrary to the policies of the development plan. It is therefore important to consider the proposal in the round. In accordance with Section 38(6) the decision maker should consider whether there are material factors that indicate that the development should be granted despite being contrary to policy. To this end the applicant has identified a number of planning benefits of the proposed development, which are considered below.

Social

184. The provision of up to 37no. affordable homes could contribute to the Local Planning Authority's stock of affordable housing. However, to develop the site now would be premature and place further pressure on future land supply. In order to inform future housing need including types and tenures, there is an emerging suite of evidence, which will support a robust local plan for the next 15 -20 years. There is no need to deliver this site now, rather, it should await the evaluation and outcome of the Central Lancashire Local Plan Review process. Accordingly, this is not a material consideration that justifies the early release of this site.

Environmental

185. The illustrative masterplan and D&A statement show both 0.81ha of open space provision across the site with identified opportunities for children's play. The applicant indicates this level of provision is significantly over and above Local Plan Policy HS4A requirements.

186. These features would be accessible to new residents and the wider community. The provision of green infrastructure, open space and recreation facilities would be of moderate benefit however the provision of green infrastructure and open space is a policy requirement (HS4A) rather than a benefit of the proposal.

Economic

187. The economic benefits of the proposal carry little weight in justifying development of safeguarded land because they are generic and arise equally (pro rata) from the development of land that is not safeguarded. The proposals are likely to result in increased spend in the local area, however, this carries moderate weight.

188. The proposals also have a number of temporary benefits associated with the construction phase such as employment opportunities, indirect spend and new homes bonus funding. Due to their temporary nature it is considered these attract some moderate weight.

189. The Council does not regard increased council tax receipts as a benefit of the development as this is essential to cover the increased demand for Council services that the development would generate and is, therefore, a neutral factor.

190. There are no evident economic benefits that this development would provide that would not be generated by the residential development of land that is not safeguarded. It is not allocated for housing in the development plan and therefore such growth has not been accounted for in plan-making including developing the supporting evidence for future strategic infrastructure such as transport, education and training, open space and recreation, and, employment and skills.

189 The benefits advanced by the applicant are moderate in the weight that can be attributed to them as a whole and do not result in factors either individually or collectively that would indicate that the development should be granted despite being contrary to policy.

Community Infrastructure Levy (CIL)

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

CONCLUSION

192. The application is contrary to the provisions of the development plan and does not represent a sustainable form of development having regard to the Framework presumption in favour of sustainable development. Overall, it is not considered that there are any material considerations that would outweigh the conflict with the development plan and the Framework when taken as a whole. The housing requirement for Chorley is 417 homes per annum. The Council has a 11.2 year housing supply. The 'tilted balance' in paragraph 11(d) is therefore not engaged.

193. Furthermore the application contains insufficient information to determine the presence or otherwise of great crested newts and, therefore, the impact of the proposed development on this protected species cannot be fully assessed as material consideration in the determination of the application.

194. In addition piecemeal development of this wider area of safeguarded land prevents the whole designation from being properly masterplanned in order to respond to the full impact of its development and achieve a sustainable form of development, as this does not allow for infrastructure and services to keep up.

195. Overall, it is not considered that there are any material considerations that would outweigh the conflict with the development plan and the Framework when taken as a whole and it is, therefore, recommended that the application be refused.

RELEVANT HISTORY OF THE SITE

Ref: 5/5/04614 **Decision:** CLO **Decision Date:** 25 March 1969
Description: Amendment of the development plan

Ref: 5/5/09586 **Decision:** REFOPP **Decision Date:** 16 November 1973
Description: 400 Dwellings and Shop Units

Ref: 89/00254/COU **Decision:** PERFPP **Decision Date:** 22 August 1989
Description: Change of use from dwelling house to Nursing Home

Ref: 98/00634/FUL **Decision:** PERFPP **Decision Date:** 4 November 1998
Description: Erection of detached garage and provision of hardstanding

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