
ITEM 3a - 21/00327/FULMAJ - Erection of 76no. affordable dwellings with access, parking, landscaping and all other associated works (including pumping station) - Land 120M East Of 27 Charter Lane, Charnock Richard

The recommendation remains as per the original report

The applicant has submitted a formal response to the report issued by Charnock Richard Residents Association (RA) to Members of the Planning Committee on 29th March, as follows:

“The representation was not made available to the applicant to view until after the Planning Committee meeting. From review of the representation, there are a number of points of clarification or update that Officers and Members should be aware of.

Policy- The previous application on the site was refused for conflict with policy 1(f), on the basis of the scale of development, at a time when the Borough had a 5 year housing land supply. The current 5 year housing land supply position now engages the tilted balance as outlined in NPPF, and for policies of the development plan that relate to housing numbers to be deemed out of date, or of more limited weight as outlined in the Officers Report to the planning application.

The planning balance and consideration of the current application is therefore of significant difference to previously.

Highways – The RA claim that the speed survey was undertaken in school holidays. The surveys were carried out from 16th to 23rd July. It is noted on Charnock Richard Primary School Term Dates on their website that the school closed for summer holidays on the 22nd July; the survey was undertaken in term time, other than the 23rd July which was a Saturday (all of which is set out in the Highways Statement).

The date of the parking survey was also questioned. This was undertaken on Wed 14th July from 8am-9.10 am (as noted on the survey results sheet in the Highway Report), aligning with school opening time.

The survey determined that the maximum parking occurred for 5 minutes and the main phase of parking (around 15 cars) occurred for only 20 minutes. This is a normal short term parking experience that occurs around schools, as is referenced by the Inspector in the appeal decision at Carrington Road, Adlington (APP/D2320/W/21/3284692) (that decision being allowed and permission granted).

It is also relevant that the Highway Statement to the application also demonstrates that the proposal will generate very limited traffic in the morning peak period, the traffic assessment determining that there would be likely only c8 trips from the development site¹, therefore potentially 3 trips in the 20 minute period, concluded to be of negligible impact to the operation of the highway. It is also noted that as most drivers from the local area are aware of the school location, amendments to travel habits can be made in such periods.

Improvements proposed to the junctions of Charter Lane are in line with discussions with Lancashire County Council (LCC) Highways Authority, and improvements to the existing footway on Charter Lane, including widening in areas and improvements to lighting has been agreed to negate provision of a further footpath along the road.

Ecology - It is referenced by RA that a recent on-site ecological assessment has not been undertaken, only desktop. This is incorrect as a full Phase 1 Habitat survey (site walkover)

and pond review was undertaken in July 2020, with a further pond survey review in June 2021 for further clarity.

Current guidelines for protected species are listed in table 3.2 of the Ecology Assessment Report and does not include Roe Deer. It is relevant that GMEU has no objection to the proposals, has confirmed the assessment acceptable and that relevant planning conditions can be utilised.

Education/ Children Numbers – It is referenced in the RA submission that the school place assessment is based on September 2021 information, prior to other decisions in the Borough. We would draw attention to the Officers Report to the March Committee that an updated Education Assessment from LCC was received by Chorley Council in March 2022 and the recommendation on the relevant education contribution is based upon this up to date review. We also see from the website details for the application that a further Assessment from April 2022 has also been received.

The consideration of the Common Allocation Policy and the number of children the site could theoretically house is considered excessive. It is noted as maximum, with 4 bed units assigned 6 children and 3 bed units 4 children, which is very unlikely to occur to all units. The Chorley Council Allocations document for housing available on the website references 3 bed units at 2 or 3 children and 4 bed units at 3 children, thus more likely towards half the number of children that was referenced in the RA submission. LCC Education pupil yield assessment is also significantly lower than the level suggested by the RA.

The concern to over subscription of the school resulting in significant traffic movements out of the village for children to access wider schools is also considered unlikely. Over time, school applications and allocations account for local families (i.e. numbers accepted from out of the village requiring travel to access the school would reduce) such that it would be more likely local children would walk to the school with resulting alleviation of traffic and parking issues.”

Charnock Richard Residents Association (RA) submitted further comments on 24th May 2022 to Members of the Planning Committee and the Local Planning Authority, which is summarised as follows:

- Photographs are provided which the RA states shows the treacherous nature of the roads
- Reference is made to the application of paragraph 11d(ii) and the ‘tilted balance’ of the National Planning Policy Framework, stating that it should only be applied in favour of sustainable development
- Reference is made to the conflict of the scheme with policy 1 of the Core Strategy
- Criticisms of the age and timeframes of the traffic assessments and surveys
- Questions are raised in relation to the financial contribution towards enhanced bus services
- Claim that basic services cannot be accessed via public transport without a substantial walk
- Claim that the proposal will result in a greater requirement of school places than calculated by LCC Education
- States that the shop noted in the Committee Report is not open every day and not open in the evenings and is not considered to be a convenience store
- Reference is made to potential future government planning reforms

The RA’s assertion that paragraph 11d(ii) of the Framework should only be applied to sustainable development is a misinterpretation of the relevant section of the Framework.

Paragraph 11 clearly states that “Plans and decisions should apply a presumption in favour of sustainable development...for decision-taking this means:...b(ii)”. Paragraph 11 therefore sets out the criteria which a proposed development must meet to be considered a sustainable development, rather than criteria to be applied to development that has already been determined to be sustainable.

With regards to the financial contribution to enhance bus services, the RA has asked three questions which the case officer has answered below in italicised text:

a) how an hourly bus service and one which ceases in the evenings is considered a reasonable alternative to the private car;

It is acknowledged that the private car will be the main form of transport for the proposed development. Bus services will provide an alternative form of transport for some journeys. Existing residents of Charnock Richard will already be managing to live in the village under similar circumstances, albeit the proposal offers an opportunity to improve this situation.

b) why the contribution has more than halved compared to the 13th October 2021 letter? and

This relates to the financial contribution towards additional bus services. It is usual for negotiations to take place between the Council and other relevant bodies with regards to mitigation measures and scheme enhancements.

c) what will happen after 5 years.

This relates to the fixed 5 year timeframe during which the developer will pay a contribution towards enhanced bus services. It is understood that the 5 years will enable the additional service to become established and then a decision will need to be made by the service provider as to whether it would be feasible to continue the service without the subsidy.

The applicant submitted a response to the above comments from the RA on 24th May 2022, which is summarised as follows:

- Reference is made to sustainable development forming three elements – social, economic and environmental
- Reiterates that the speed survey was not undertaken in school holidays
- Using traffic data from previous applications is a normal provision within Transport Assessments and is accepted and agreed with LCC Highways
- The 2016 survey information has been re-based using nationally accepted growth rates
- The accepted allocation of likely trips from the development demonstrates low movements and the level of traffic generation is therefore within acceptable levels
- Bus service improvements would result in a doubling of the services through the village and is a viable alternative to the private car
- The contribution level has been accepted by LCC Highways and the bus team
- As the bus service becomes established it will likely become more self-funding
- Mixed-mode journeys may be required to access some services, but this must already occur for existing residents living in Charnock Richard
- Reference is made to the RA’s assertions in relation to pupil numbers and the applicant is concerned about the submission not acknowledging the forward planning for school allocation will be undertaken by LCC Education and in time there will be a transition to more local pupils. Also expresses concern there is an implication to potential pupil numbers based on the housing being social housing
- There will be a lag whilst units are built and occupied which will enable the Education authority to plan for future levels and consider places going forward

- The scheme will provide customers for the local shop which may then extend opening hours
- Residents from the application site will not add to parking in the village – they will walk to school, football club and shop.

Lancashire County Council Education

An updated consultation response has been received from Lancashire County Council Education which provides an updated assessment of projected school places as of 20th April 2022. The assessment concludes the same requirements as outlined in the original committee report and addendum, of no contribution being required for primary school places and £92,247 for four additional secondary school places.