

## **APPLICATION REPORT – 23/00114/REM**

**Validation Date: 8 February 2023**

**Ward: Eccleston, Heskin And Charnock Richard**

**Type of Application: Reserved Matters**

**Proposal: Reserved matters application pursuant to outline planning permission ref: 18/00416/OUT (Outline application for the erection of 6 detached dwellings following demolition of existing dwelling and stables including details of access, layout and scale) seeking approval of landscaping details and details reserved by conditions nos. 6 (preliminary risk assessment - site investigation), 9 (construction environmental management plan), 10 (lighting design strategy), 11 (invasive non native species protocol), 12 (ecological design strategy), 13 (demolition statement) and 14 (landscaping scheme) attached to outline planning permission ref:18/00416/OUT**

**Location: Latvian Consulate Pemberton House Farm Park Hall Road Charnock Richard Chorley PR7 5LP**

**Case Officer: Mr Iain Crossland**

**Applicant: Gareth Jones, Stocks Hall Care Homes 2**

**Agent: Martin Boote, D&B Design Works Ltd**

**Consultation expiry: 20 March 2023**

**Decision due by: 14 July 2023 (Extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that reserved matters consent is granted for the details of appearance subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located in the Green Belt at Charnock Richard and is occupied by a large split level dwelling of modern appearance and a stables building. It is positioned to the south of Park Hall Road opposite the major developed site of Park Hall / Camelot, which is located to the north side. There is an existing vehicular access to the site from Park Hall Road. The site is well screened by mature landscaping to the periphery and the topography slopes gradually down from the highway before dropping more steeply into the valley formed by Syd Brook to the south.
3. The site is presently unoccupied and in a severe state of disrepair following bouts of vandalism to the dwelling and outbuildings. The grounds themselves are somewhat overgrown. A public right of way crosses part of the site at its eastern end.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks reserved matters consent for the landscaping of the development pursuant to outline planning application reference 18/00416/OUT, which was for the erection of 6no. detached dwellings following demolition of the existing dwelling and stables (which included details of access, layout and scale).

5. Details have also been submitted to satisfy the requirements of some of the conditions attached to the outline planning permission as follows:
- Condition 6 deals with the risks associated with contamination of the site.
  - Condition 9 requires the submission of a construction environmental management plan that promotes biodiversity.
  - Condition 10 requires a lighting design strategy for biodiversity.
  - Condition 11 requires an invasive non-native species protocol detailing the containment, control and removal of invasive plant species on site
  - Condition 12 requires an ecological design strategy detailing measure to protect the interest value of Syd Brook Biological Heritage Site (BHS)
  - Condition 13 requires a demolition statement.
  - Condition 14 requires a detailed landscaping scheme.

## REPRESENTATIONS

6. One representation has been received which considers the scale of development suitable for the area and that the development has the potential to enhance the area.

## CONSULTATIONS

7. Greater Manchester Ecology Unit: Have confirmed that the conditions details are satisfactory.
8. Waste & Contaminated Land: Have advised that the applicant should complete a programme of ground investigation works to fully characterise the ground/groundwater conditions below the site.
9. Charnock Richard Parish Council: Have confirmed that they have no objection.

## PLANNING CONSIDERATIONS

### Principle of the development

10. The acceptability of the principle of development of the site with 6no. self-build dwellings has been established by the grant of outline planning permission (Ref: 18/00416/OUT).

### Impact on character and appearance of the locality

11. *Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided 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.*
12. The application site is currently occupied by a large modern dwelling faced in white render that has a linear form. The dwelling has suffered fire damage and vandalism and is in a state of severe disrepair. The stables are of timber construction and typical of domestic stables buildings, whilst there are large areas of hardstanding and dense vegetation as the site has become overgrown due to a lack of maintenance. The site is not particularly visible from public areas due to mature landscaping within the site and around the periphery, however, its current appearance contributes negatively to the character of the area.
13. The proposed development would introduce six dwellings set out in an arc radiating off the existing access drive. The majority of mature trees that exist on the site would be retained and supplemented by a number of new native trees planted around the access drive and in the open space between the houses and the highway at Park Hall Road. Wildflower seeding would be carried out to the northern side of the site nearest the highway, whilst a native hedgerow would be planted adjacent to the highway itself. Ornamental trees, shrubs and formal hedge planting would be carried out to the front garden areas at each dwelling plot.

14. The proposed landscaping is comprehensive and would provide a strong buffer with the main highway at Park Hall Road, whilst creating an attractive and verdant entry to the development. The communal open space to the north would provide a sense of parkland, whilst the more formal planting around the dwellings themselves would result in a more formal garden aesthetic. The proposed landscaping would build on some of the existing characteristics of the site, maintaining the higher quality trees, and would provide an attractive high quality setting to the development.
15. Overall, the proposed landscaping would provide a suitable approach to the strategic landscaping of the site and would help to frame the approved housing development. It is, therefore, considered that proposed landscaping adequately reflects the character of the area and would contribute to a high quality development that would improve the appearance of the site.

### Ecology

16. The site is dominated by habitats of limited value to wildlife at present, with areas of hard standing, derelict structures and a prevalence of invasive plant species. The proposed landscaping, along with the implementation of the invasive non-native species protocol, would enable higher quality trees to be retained alongside new tree planting, new hedgerow planting and the sowing of a wildflower meadow. Native plant species would be used in the strategic landscaping of the site, which would enhance its long-term ecological interest and provide new opportunities for protected and notable species to thrive. The proposed landscaping would help to restore a more natural habitat that would support and encourage greater biodiversity across the site and is in line with policy BNE9 of the Chorley Local Plan 2012-2026. The proposed landscaping plan is considered to be acceptable both as a reserved matter and in relation to the terms of condition 14.
17. The construction environmental management plan (condition 9), lighting design strategy for biodiversity (condition 10), invasive non-native species protocol (condition 11) and ecological design strategy (condition 12) that have been submitted in support of the development have been assessed by the Council's ecology advisors, Greater Manchester Ecology Unit, who consider that the details are satisfactory following on from some minor amendments.
18. Condition 13 required a licence issued by Natural England pursuant to Regulation 53 of the Conservation of Habitats and Species Regulations 2010 (as amended) authorising the specified activity/development to go ahead; or a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence, as a bat roost had been found previously at the site. An activity survey was undertaken in summer 2022, under suitable conditions, and found that the roost was no longer in use and the Ecologist concluded that the roost was no longer active. As there is no current bat roosting at the site, the proposed demolition of the dwelling and garage would not require a European Protected Species licence, and one cannot be issued given the absence of bats. Condition no.13 can, therefore, be discharged on this basis.

### Ground conditions

19. A Phase 1: Desk Top Study Report (Preliminary Risk Assessment) has been submitted in response to condition no.6 of the outline planning permission. The report identifies the following:
  - The site is currently considered to pose a high geotechnical risk (proposed structures).
  - The site is currently considered to pose a low to moderate risk to the proposed end users (ground contamination).
  - The site is currently considered to pose a very low risk to adjacent sites (the surrounding environment) and controlled waters with respect to potential ground/groundwater contamination.
  - A very low risk is currently considered present in respect of ground gas.
  - No radon protection measures are required.

20. On this basis it is recommended to complete a programme of ground Investigation works to fully characterise the ground/groundwater conditions below the site. In order to carry out the phase 2 site investigations so that the ground conditions can be fully understood, any necessary mitigation measures set out and remediation reports produced it is clear that the existing structures will need to be demolished first. Condition no.6 can be partially discharged at this stage and provides sufficient detail at this stage such that demolition of the existing buildings can proceed. Condition no.6 cannot be fully discharged, however, until the results of the site investigation and detailed risk assessment have been provided in a report setting out a remediation strategy giving full details of the remediation measures required and how they are to be undertaken. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action will also be required.

## **CONCLUSION**

21. The details submitted in relation to the reserved matter applied for under this application, namely landscape, are acceptable. The details submitted in relation to conditions attached to the outline planning permission namely conditions nos.6 (preliminary risk assessment - site investigation), 9 (construction environmental management plan), 10 (lighting design strategy), 11 (invasive non native species protocol), 12 (ecological design strategy), 13 (demolition statement) and 14 (landscaping scheme) are also acceptable subject to the provision of a programme of ground investigation works to fully characterise the ground/groundwater conditions, details of necessary mitigation and a verification report. Therefore, it is recommended that the reserved matters consent is granted subject to conditions.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 13/00219/FULMAJ      **Decision:** WDN      **Decision Date:** 2 July 2013  
**Description:** Demolition of existing buildings and erection of a residential rehabilitation centre

**Ref:** 14/00178/FULMAJ      **Decision:** REFFPP      **Decision Date:** 16 May 2014  
**Description:** Demolition of existing buildings and erection of a residential rehabilitation and therapy centre at Pemberton House Farm (resubmission of withdrawn application 13/00219/FULMAJ)

**Ref:** 18/00416/OUT      **Decision:** PEROPP      **Decision Date:** 20 May 2019  
**Description:** Outline application for the erection of 6 detached dwellings following demolition of existing dwelling and stables including details of access, layout and scale

**Ref:** 21/01331/REM      **Decision:** PERRES      **Decision Date:** 4 February 2022  
**Description:** Reserved matters application (details of appearance) pursuant to planning application reference 18/00416/OUT (Outline application for the erection of 6 detached dwellings following demolition of existing dwelling and stables including details of access, layout and scale)

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

### Suggested conditions

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Landscape Layout	P.1599.22.03 Rev. B	27 June 2023
Planting Plan (Sheet 1 of 2)	P.1599.22.04 Rev. A	02 May 2023
Planting Plan (Sheet 2 of 2)	P.1599.22.04 Rev. A	02 May 2023

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

2. No development approved by this planning permission, other than demolition, shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- A site investigation scheme, based on the findings of the Phase 1: Desk Top Study Report (Preliminary Environmental Risk Assessment) (Ref. 2012-5085) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- The results of the site investigation and detailed risk assessment referred to above and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the local planning authority. The scheme shall be implemented as approved and a verification report shall be provided to the local planning authority prior to the occupation of the first dwelling.

*Reason: National Planning Policy Framework (NPPF) paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by preventing both new and existing development from contributing to or being put at unacceptable risk from, or being adversely affected by unacceptable levels of water pollution. Government policy also states that planning policies and decisions should also ensure that adequate site investigation information, prepared by a competent person, is presented (NPPF, paragraph 121).*