

APPLICATION REPORT – 22/00631/FULMAJ

Validation Date: 19 July 2022

Ward: Adlington And Anderton

Type of Application: Major Full Planning

Proposal: Erection of 137no. dwellings, of which 30% will be affordable, together with associated roads, car parking and landscaping works

Location: Land Adjacent Rossendale Drive Adlington PR6 9AB

Case Officer: Mike Halsall

Applicant: Stewart Milne Homes

Agent: N/a

Consultation expiry: 23 October 2023

Decision due by: 22 December 2023 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure the following:
 - 30% (41) of the dwellings to be affordable with 70% (29) of these to be social rented and 30% (12) for shared ownership.
 - A contribution of £535,396 (or £517,586 if private maintenance is proposed) towards the delivery, management and maintenance of public open space.
 - £6,000 to secure a Travel Plan.

SITE DESCRIPTION

2. The application site is located towards the southern end of Adlington and consists of approximately 5 hectares of agricultural land with scattered mature trees and is framed by woodland corridors. The site is undeveloped and site levels fall away to the south east down to the adjoining River Douglas (which forms the boundary with the borough of Bolton) and an area of woodland. The south-western boundary is formed by the railway embankment which separates and encloses the site from the industrial uses on the opposite side (Adlington South Business Park).
3. The site is adjoined by residential development to the north, with a varied development pattern, style and form, but characterised by low density late 20th Century housing. The recently completed Douglas Meadows development to the northeast comprises predominantly detached and semi-detached properties, with some mews housing and apartments.
4. A footpath runs along the northern edge of the river, forming part of a circular walk around Adlington. A further public footpath runs along the eastern boundary in a north to south alignment.

5. The site falls immediately adjacent to the defined settlement boundary of Adlington and is identified in the Chorley Local Plan 2012-2026 as Safeguarded Land under policy BNE3.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The application seeks full planning permission for the erection of 137 dwellings, of which 30% (41) will be affordable, together with associated roads, car parking, play area (LEAP) and landscaping works.
7. The proposed dwelling mix is as follows:
 - 15 x 1-bed apartments
 - 12 x 2-bed apartments
 - 16 x 2-bed house
 - 48 x 3-bed house
 - 33 x 4-bed house
 - 13 x 5-bed house
8. Included in the above, there is the following affordable housing mix:

Social Rent

- 15 x 1-bed apartments
- 6 x 2-bed houses
- 8 x 3-bed houses

Shared ownership

- 12 x 2-bed houses

9. The proposal has been amended since its original submission to include a pedestrian / cycle connection between the site and Grove Farm Drive, which was originally proposed to be for emergency access, along with changes to house types, Public Rights of Way amendments, moving the SuDS pond, improving visibility splays, improved parking arrangements and a reduction in the number of dwellings proposed from 139 to 137.

REPRESENTATIONS

10. Representations have been received from 79 addresses and Heath Charnock Parish Council raising objections to the proposal on the grounds summarised below.

Principle of development / Location

- Adlington has a brownfield site which could be developed for housing instead of using the green belt
- Why are residents being cut off from Adlington

Traffic and transportation / highway safety

- Increase in traffic on surrounding roads
- Pedestrian safety – children playing
- Highway safety
- Only one vehicle entrance is not sufficient
- No pathways to other areas of Adlington and does not encourage walking
- The raised table at barrow nook does not allow two cars to pass safely at the same time made more hazardous by the speed restrictions
- The existing traffic calming measures are dangerous
- The access originally proposed from Grove Farm more appropriate with no footpath access to the station or bus routes, residents will be forced to drive through a route that has experienced several accidents
- Lack of access for emergency vehicles

- The location of the proposed development would exceed the recommended maximum walking distances to available public transport services and would therefore result in an unsustainable pattern of development that would promote reliance on private car journeys
- The cycle route on the plans contains two sets of steps
- The proposed development would contravene Lancashire's Local Transport Plan LTP3 with regards to exceeding the recommended maximum walking distances to available public transport services.
- The area of the proposed emergency access to Huyton Road floods and is sometimes inaccessible
- The route to Groeve Farm Drive should be for vehicle traffic

Ecology / nature conservation / environment

- The current area is home to many deer
- Green spaces becoming increasingly spare
- Loss of animal habitats
- The proposed site has a large amount of Himalayan balsam
- The protected tree line where several species of bird and animal habitats are will be severely affected by noise from construction and resident traffic
- Risk of the river Douglas becoming polluted
- Increase in pollution due to the increase in cars
- Effect on wild fauna
- The developer should include more energy efficiency/water saving design to tackle climate change
- Tree loss
- Bat survey doesn't cover activity behind Grove Farm Drive and Abbey Grove
- Inaccuracies in ecological report in relation to ponds

Residential amenity / visual impact

- The scale of the works means that the property/premises has an oppressive impact on surrounding areas/houses
- Overlooking
- Unacceptable intrusion in the form of noise nuisance and general disturbance
- Impact on visual amenity
- 53 abbeyes Grove, 3 terraced houses within 6ft of back garden will affect their privacy
- The siting & density of two-story properties built directly behind the gardens of the bungalows at 43-55 Abbey Grove & subsequent loss of light, privacy, view & loss of peaceful enjoyment of the bucolic setting that these properties have had for more than sixty years
- Overbearing - The scale of the works means that the property/premises has an oppressive impact on surrounding areas/houses.

Flood risk / drainage

- Site is within a flood zone
- The current drainage system struggles to cope for the existing properties and often overflow causing environmental issue
- Increased flood risk

Amenities / Infrastructure

- Local doctors, primary schools, shops, travel and dentists are at capacity

Other issues

- Douglas meadow pay for and maintain footpaths around the estate and the park. Other local residents frequently vandalise this and now we would be expected to share a park

we pay for with another 139 houses, none of which will contribute to its upkeep nor that of the privately managed footpaths. They are essentially being given the benefits of our estate (a park and various cut throughs) with none of the associated fees

- Original plans would be far better suited
 - The number of homes previously rejected has increased, How?
 - Only found out about the application through Facebook
 - Residents pay for maintenance of communal areas through HML and do not want people to use them if they are not paying themselves
 - The buffer is not sufficient between the bungalows on Grove Farm Drive and the new development
 - The Planning Layout OS detail of land north of the proposed units 33-37 is not showing
 - Within the design statement there appears to be a number of dubious and contentious claims regarding the sustainability credentials of the proposed development and the applicant seems to have given little regard to the measures required to mitigate long term climate change, provide an eco-friendly environment and truly address sustainability
 - This proposed development does not currently appear to be compliant with Strategic Objective S03 of the CLCS
 - Issues with ground rent on the existing estate
11. Representations have been received in support of the proposal from one address which states the emergency access through to Huyton Road is an excellent solution, alleviating the need for vehicular access through Grove Farm Drive, which would create a dangerous road.

CONSULTATIONS

12. Lancashire Highway Services (LCC Highway Services): no objection, following the applicant amending the proposed plans to include a pedestrian / cycle access to Grove Farm Drive and an emergency access via Huyton Road. Conditions and a S106 contribution of £6000 is requested to secure a Travel Plan.
13. Lancashire County Council Archaeology Service: no objection, any archaeology works cannot be justified. A query was raised by Councillor Kim Snape as to whether there were World War 2 air raid shelters within the site boundary. This was issued to LCC Archaeology Service for reply, and they confirmed the shelters are located outside the site boundary, to the south-east of the site, presumably for use by workers of the old bleach works.
14. Environment Agency: no objection to the proposal, following the applicant relocating the SuDS pond, subject to a condition relating to landscaping and ecological management.
15. Greater Manchester Ecology Unit: no objection, following the applicant submitting revised surveys and biodiversity net gain calculations, subject to conditions relating to the submission of a landscape and ecological management plan and a construction environmental management plan (CEMP: biodiversity).
16. Lancashire County Council (Education): have stated that a contribution towards additional school places is not required from this proposal.
17. Regulatory Services - Environmental Health Officer: no objection, commenting as follows:

"A noise assessment has been carried out by Hepworth Acoustics which uses appropriate standards and methods to assess possible noise sources including noise from existing business premises and railway noise.

I accept the findings of the report and would ask that Sections 5.6 to 5.16 of the report covering acoustic fencing, glazing, ventilation and insulation for bedrooms located in roof spaces are conditioned as suggested in Section 5.18 of the report.

I would suggest that the guidance and recommendations contained within the Chorley Council document "Code of Practice for Construction and Demolition" which covers

operating hours, plant and equipment, piling, vibration, air pollution and dust should be adhered to. I would specifically request that vibration monitoring is carried out during any piling phases, to assist with the investigation and assessment of any vibration complaints, should they be received"

18. Lancashire Fire and Rescue Service: have not responded.

19. Waste & Contaminated Land Officer: has responded as follows:

"Regarding ground contamination, I note the Phase 1 and Phase 2 Geo-Environmental Assessment Reports which suggest the site is suitable for the proposed end use, however there is some further works/information required prior to development commencing, including:

The following further works will be required to progress to the construction phase:

- Completion of ground gas monitoring programme.*
- Update gas risk assessment within this report.*
- Supplementary delineation of made ground near to TP21 (or watching brief during site strip).*
- Geotechnical earthworks laboratory testing on soils to help enable the development of an earthworks specification, if required.*
- Design of Remedial Strategy and confirmation with the Local Authority / NHBC*
- Production of Materials Management Plan (MMP) under the CL:AIRE DoWCoP, if required."*

20. Lead Local Flood Authority: no objection, following amendments to the submitted details, subject to conditions.

21. Lancashire Police: have responded with considerations for the applicant to incorporate into the final build of the development.

22. United Utilities: no objection, subject to conditions.

23. Network Rail: no objection, subject to conditions.

24. Tree Officer: no objection, subject to the submission of a tree protection plan and arboricultural method statement prior to development commencing.

25. Bolton Council: have not responded.

26. Adlington Parish Council: have responded in objection to the proposal, as follows:

'Adlington Town Council considered this application at its meeting on 15 August 2022 and objects for the following reasons:

- 1. The site is safeguarded land in The Chorley Local Plan 2012-2026*
- 2. Only one vehicular access onto Bolton Road is proposed as the access road used by residents of Phase 1. Has the Rossendale Drive & Bolton Road junction adequate capacity to maintain traffic flow through the residential estate and along Bolton Road?*
- 3. The only other proposed Phase 2 exit is the pedestrian footpath link into the Public Right of Way leading to Huyton Road or to Bolton Road. The proposed development probably exceeds the guideline minimum distances for people to drive or walk to facilities such as a bus stop or train station.*
- 4. If approved, this site would increase the detrimental impact of urban growth without any investment in the local infrastructure: the public highway network, car parking facilities, traffic management initiatives in congested locations; access to schools, medical services; parks and open space, recreation facilities etc. that Adlington Village requires.*
- 5. A developer-led piecemeal approach is being taken in Adlington. This is not in the best interests of the Town as a whole nor of its current and future population.*

6. *Flood water management after heavy rain will become an increasing concern as more natural sites are built upon.*
7. *Like Chorley Borough, the Adlington District has taken more than its fair share of development in recent years.*
8. *The phase 1 estate highway network of roads and footpaths has not yet been adopted by the Highways authority. This will impact on residents and the cost of developing phase 2 using unadopted roads is of concern to the Town Council and current Rossendale Drive estate residents.*
9. *Will the affordable housing be provided at social market rents? 10. Residents in the Abbey Grove bungalows are concerned about overlooking from proposed three storey apartment blocks to the rear of their homes.'*

27. Lancashire County Council Public Rights Of Way Officer: no objection, see section below on Traffic and Transportation.

PLANNING CONSIDERATIONS

Principle of development

28. 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.
29. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026. 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).
30. Core Strategy Policy 1 sets out the locations for growth and investment across Central Lancashire and identifies Adlington as an Urban Local Service Centre, where some growth and investment will be encouraged to help meet housing and employment needs.
31. The Chorley Local Plan shows the application site forms an area of land safeguarded for future development needs beyond the plan period of 2026 (Policy BNE3.11 - South east of Belmont Road & Abbey Grove, Adlington).
32. Policy BNE3 is a restraint policy and states that development other than that permissible in the Green Belt or Area of Other Countryside (under Policy BNE2) will not be permitted on Safeguarded Land. The proposal is, therefore, contrary to Policy BNE3.
33. Located on the edge of the settlement, the site is in an accessible and sustainable location, within a reasonable walking distance of bus stops, railway station, primary school, community facilities and shops that would provide for the day to day needs of residents. The Education Authority has indicated there would be sufficient primary and secondary school places within the catchment area of the site. The proposed development is considered to be consistent with Policy 1 of the Core Strategy.
34. Core Strategy Policy 4 sets out the minimum housing requirements for the plan area and is addressed later within this report.

Other material considerations

35. The National Planning Policy Framework (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:
 - Environmental - the protection of our natural, built and historic environment

- Economic - the contribution to building a strong and competitive economy
 - Social - supporting strong, vibrant and healthy communities
36. 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).
37. Paragraph 11 of the Framework states that 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.
38. 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.
39. Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes.
40. Paragraph 60 of the Framework reinforces that requirements represent the minimum number of homes needed.
41. 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.

Housing land supply

42. The following planning appeal decisions are of relevance.

**Land adjacent to Blainscough Hall, Blainscough Lane, Coppull
Decision APP/D2320/W/21/3275691**

43. On the 3 February 2022 a decision was issued for the appeal for Land adjacent to Blainscough Hall, Blainscough Lane, Coppull. The appeal was allowed and outline planning permission was granted 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.
44. The main issues in the appeal were:
- Whether or not the Council can demonstrate a 5 year supply of deliverable housing land, 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;
 - 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;

- Whether this, or any other material consideration, would justify the proposed development on safeguarded land at this time.
- Whether or not there are adequate secondary school places to serve the development.

45. In respect of the Housing Requirement in Chorley:

46. The Decision Letter includes an assessment of Core Strategy policy 4 (which sets out the minimum housing requirements for the plan area) in the context of Paragraph 74 of the Framework, and whether the policy has been reviewed and found not to require updating. It also considers whether the introduction of the standard method in itself represents a significant change in circumstances that renders Core Strategy policy 4 out of date with reference to the PPG (paragraph 062).
47. The Decision Letter concludes that it is appropriate to calculate the housing requirement against local housing need using the standard method due to the significant difference between the local housing need figure and the housing requirement in policy 4 amounting to a significant change in circumstances, which renders Policy 4 out of date.
48. With regards to the appropriate housing requirement figure to use when calculating the housing land supply position of the authority, the Blainscough Hall Inspector, therefore, sets out that the standard method should be used. Applying this to the Council's current supply results in a housing land supply position between 2.4 and 2.6 years.
49. The Inspector concluded that as such the Council can no longer demonstrate a 5-year supply of housing land meaning that the tilted balance, and presumption in favour of sustainable development was, therefore, engaged under paragraph 11(d) of the Framework.

Land to the East of Tincklers Lane, Tincklers Lane, Eccleston PR7 5QY Appeal A Ref: APP/D2320/W/21/3272310

Land to the North of Town Lane, Town Lane, Whittle-Le-Woods PR6 8AG Appeal B Ref: APP/D2320/W/21/3272314

50. On the 18 February 2022 decisions were issued for the above appeals. Appeal A was allowed and outline planning permission was granted for the construction of up to 80 dwellings with all matters reserved aside from vehicular access from Doctors Lane. Appeal B was dismissed on grounds of highway safety.

51. The main issues in the appeals were:

- Appeal A: Whether or not the proposal integrates satisfactorily with the surrounding area with particular regard to patterns of movement and connectivity Appeal B: The effect of the proposal on highway safety including accessibility of the appeal site.
- Whether or not the Council is able to demonstrate a five-year supply of housing land;
- Whether or not the most important policies of the development plan are out of date; and,
- Whether any adverse effects, including conflict with the development plan as a whole, would be outweighed by other material considerations.

52. In respect of housing land supply:

53. The Inspector for the conjoined appeals assessed Core Strategy Policy 4 against Paragraph 74 of the Framework which requires the local planning authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their requirement as set out in adopted strategic policies, or against their local housing need when strategic policies are more than five years old. The Core Strategy is more than five years old.

54. The Inspector considered MOU1 to have constituted a review of Core Strategy Policy 4 and was an up-to-date assessment of need at that point in time but that the situation moved on considerably since it was signed.

55. Paragraph 44 of the Inspector's report notes that national guidance indicates local housing need will have considered to have changed significantly where a plan was adopted prior to the standard method being implemented based on a number that is significantly below the number generated by the standard method. The implications for Chorley would result in an annual requirement of 564 dwellings and the CS figure would be significantly below this. In this instance, Chorley's local housing need has changed significantly.
56. The Inspector noted that the standard method figure is particularly influenced by the level of development in the area between 2009 and 2014 but considers that this does not necessarily render the standard method itself as invalid. Any proposed redistribution of standard method figures for the Central Lancashire authorities, such as MOU2, would need to be considered at an examination.
57. The Inspector considered oversupply and the delivery rates of housing, which was weighted towards the early years of the plan period. However, the requirement in Policy 4 itself is not expressed as an overall amount to be met over the plan period. Policy 4 does not refer to any potential oversupply despite the known potential of Buckshaw Village contributing to growth in Chorley and it clearly states that it is a minimum annual requirement. (paragraph 49).
58. Paragraph 50 of the Inspector's report states: *"the inclusion of oversupply against Policy 4 would reduce the requirement for Chorley to just over 100 dwellings per annum. This would be considerably below anything which has been permitted in previous years in the area and would even be below the redistributed standard method figures for Chorley in MOU2. I consider it would be artificially low and would in greater probability, lead to significantly reducing not only the supply of market housing but also affordable housing within the area. It would thus run counter to the objective of the Framework to boost the supply of housing and to paragraph 74 of the same, which seeks to maintain the supply and delivery of new homes."*
59. The Inspector concludes at paragraph 51 of the report that; *"in the circumstances before me having regard to both MOU1 and MOU2, I conclude that the situation has changed significantly for Chorley in respect of local housing need and that Policy 4 is out of date. The standard method is the appropriate method for calculating housing need in Chorley. It is agreed between the parties that a 5% buffer should be applied. In terms of sites which contribute to the housing land supply within Chorley, there is a very narrow area of dispute between the two main parties which relates to only 2 sites and amounts to 116 dwellings. This is a marginal number that has little effect on the result in respect of the requirement. Accordingly, against the application of the standard method there would be less than three years supply of housing land in Chorley, and I conclude that the Council is unable to demonstrate a five-year supply of deliverable housing sites."*

**Land south of Parr Lane, Ecclestone
Decision APP/D2320/W/21/3284702**

60. On the 17 March 2022 a decision was issued for the appeal for Land south of Parr Lane, Ecclestone. The appeal was allowed and outline planning permission was granted for up to 34 dwellings and associated infrastructure on land south of Parr Lane, Ecclestone, Lancashire in accordance with the terms of the application, Ref 20/01193/OUTMAJ, dated 4 November 2020, and the plans submitted with it, subject to the conditions.
61. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply as born out through recent appeal decisions, the main issue in the appeal was whether there were any material considerations that would justify dismissing the appeal.
62. The Inspector concluded the following with regards to housing land supply:

“Framework paragraph 11d indicates that where the most important policies for the determination of a proposal are out-of-date, (which includes applications for housing, where the LPA cannot show a 5-year HLS), permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole; the tilted balance.

The most important policies for determining this appeal are CS Policies 1 and 4 and LP Policy BNE3. Whilst the proposal would be consistent with CS Policy 1, it would conflict with LP Policy BNE3, safeguarding land for future development. The LPA accepts that it cannot show a 5-year HLS and as such CS Policy 4 and LP Policy BNE3 are out-of-date. Taking the development plan as a whole, the most important policies for determining this appeal are out-of-date and the tilted balance applies.

The proposal would provide for up to 34 dwellings of which 35%, would be affordable homes (CS Policy 7). Given the absence of a 5-year HLS, the proposal would make, albeit a modest one, a material contribution to meeting local housing needs. As a benefit this attracts significant weight. The development would secure economic benefits through construction investment and the contribution future occupants would make to the local economy. These benefits attract moderate weight. The site has limited biodiversity value and the development has the potential to provide biodiversity net gain. This is a benefit of limited weight. Given my assessment above, the harm arising from the conflict with LP Policy BNE3 is significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework as a whole.”

**Land off Carrington Road, Adlington
Decision APP/D2320/W/21/3284692**

63. On the 17 March 2022 a decision was issued on the above referenced appeal. The appeal was allowed and outline planning permission was granted for residential development of up to 25 dwellings on land off Carrington Road, Adlington, Lancashire PR7 4JE in accordance with the terms of the application, Ref 20/01200/OUTMAJ, dated 5 November 2020, and the plans submitted with it.
64. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply as born out through recent appeal decisions, the main issue in the appeal was whether there were any material considerations that would justify dismissing the appeal.
65. The Inspector concluded the following with regards to housing land supply:

“Framework paragraph 11d indicates that where the most important policies for the determination of a proposal are out-of-date, (which includes applications for housing, where the LPA cannot show a 5-year HLS), permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole, the tilted balance.

The most important policies for determining this appeal are CS Policies 1 and 4 and LP Policy BNE3. Whilst the proposal would be consistent with CS Policy 1, it would conflict with LP Policy BNE3, safeguarding land for future development. The LPA accepts that it cannot show a 5-year HLS and as such CS Policy 4 and LP Policy BNE3 are out-of-date. Taking the development plan as a whole, the most important policies for determining this appeal are out-of-date and the tilted balance applies.

The proposal would provide for up to 25 dwellings of which 30%, would be affordable homes (CS Policy 7). Given the absence of a 5-year HLS, the proposal would make, albeit a modest one, a material contribution to meeting local housing needs. As a benefit this attracts significant weight. The development would secure economic benefits through construction investment and the contribution future occupants would make to the local economy. These benefits attract moderate weight. The site has limited biodiversity value and the development has the potential to provide biodiversity net gain. This is a benefit of

limited weight. Given my assessment above, the harm arising from the conflict with LP Policy BNE3 is significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework as a whole.”

**Land east of Charter Lane, Charnock Richard
Decision APP/D2320/W/22/3313413**

66. On the 5 May 2023 a decision was issued for the appeal on Land east of Charter Lane, Charnock Richard. The appeal was allowed and full planning permission was granted for the erection of 76 affordable dwellings and associated infrastructure at the site in accordance with the terms of the application, ref 21/00327/FULMAJ, dated 11 March 2021, and the plans submitted with it, subject to conditions.
67. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply, the main issue in the appeal was whether the site is suitable for development, in the light of the locational policies in the development plan, highway safety and other material considerations.
68. The Inspector concluded the following with regards to housing land supply:

“Paragraph 74 of the Framework requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5-years worth of housing against their local housing need where the strategic policies are more than 5 years old.

The Council can currently only demonstrate a 3.3 year supply of deliverable housing. That position is agreed between the Council and appellant.

While this is disputed by a number of interested parties, this position has been extensively tested at appeal, including most recently in a decision dated December 2022. Accordingly, I am satisfied that there is a critical housing need across the Borough.”

**Land at Blackburn Road, Wheelton
Decision APP/D2320/W/22/3312908**

69. On the 30 May 2023 a decision was issued for the appeal on Land at Blackburn Road, Wheelton. The appeal was allowed and outline planning permission was granted for the residential development of up to 40 dwellings with access from Blackburn Road and all other matters reserved, subject to conditions.
70. The main issue in the appeal was whether the proposal is consistent with the objectives of local and national planning policies relating to the location of housing, and if there are any adverse effects of the development proposed, including conflict with the development plan as a whole, whether they would be outweighed by any other material considerations.
71. The Inspector concluded the following with regards to housing land supply:

“the evidence before me has drawn my attention to recent appeal decisions in Chorley, including those where planning permission previously has been granted for up to 123 dwellings at Land adjacent to Blainscough Hall, Blainscough Lane, Coppull1, for up to 80 dwellings at Land to the East of Tincklers Lane, Eccleston2, for up to 34 dwellings at Land south of Parr Lane, Eccleston3 and for up to 25 dwellings at Land off Carrington Road, Adlington. Following those appeal decisions including the developments subject of Inquiries at Blainscough Lane, Coppull and Tincklers Lane, Eccleston, it is not a matter of dispute between the main parties that Policy 4 of the CS is more than five years old and is out of date due to changes to national policy since its adoption including a different method for calculating local housing need. I have no reason to take a different view. Furthermore, even if I were to accept the stated Council position of a 3.3 year deliverable supply of housing based on a local housing need calculation of 569 dwellings per annum (following the standard method set out in paragraph 74 of the Framework and Planning Practice

Guidance) rather than the deliverable supply of between 2.4 and 2.56 years identified by previous Inspectors, the shortfall in supply remains significant and clearly below five years. It follows that as I have found Policy 4 of the CS to be out of date and that the Council cannot demonstrate a five-year supply of deliverable housing sites that the 'tilted balance' in the Framework is to be applied which I necessarily return to later in my decision."

Summary - the tilted balance

72. Paragraph 11 d (ii) of The Framework is engaged whereby the most important policies for determining an application are out of date, therefore 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.
73. As was the case with some of the aforementioned appeal cases, the most important policies for determining this application are Policies 1 and 4 of the Central Lancashire Core Strategy and Policy BNE3 of the Chorley Local Plan. Whilst the proposal would be consistent with Policy 1 of the Core Strategy, it would conflict with Policy BNE3 of the Local Plan, safeguarding land for future development.
74. At 1st April 2023 there was a total supply of 1,717 (net) deliverable dwellings which is a 3.2 year deliverable housing supply over the period 2023 – 2028 based on the annual requirement of 530 dwellings which includes a 5% buffer. Chorley does not have a five-year deliverable supply of housing plus 5% buffer and the shortfall is significant. Significant weight should therefore be attached to the delivery of housing provided by this proposal and that 30% of the of the dwellings would be affordable houses.
75. In light of the above, policy 4 of the Central Lancashire Core Strategy and BNE3 of the Chorley Local Plan are out of date and the tilted balance is, therefore, engaged.
76. The High Court decision [Gladman Developments Limited v Sec of State for Housing, Communities and Local Government and Corby Borough Council and Uttlesford District Council [2021 EWCA Civ 104] concerned the application of para 11d of the Framework and the tilted balance. In particular, the effect of footnote 7 in this case, where there was not a five year housing land supply, was simply to trigger paragraph 11(d) and that it did not necessarily render all policies out of date. It was noted that where 11(d) is triggered due to the housing land supply position it is for the decision maker to decide how much weight should be given to the policies of the development plan including the most important policies and involve consideration whether or not the policies are in substance out of date and if so for what reasons.
77. Policy 1 of the Core Strategy sets out the settlement strategy for the area and is not out of date. That said, the Council cannot demonstrate an adequate supply of housing and the shortfall is significant. Policy 1 of the Core Strategy therefore forms part of a strategy which is failing to deliver a sufficient level of housing. As such, the policy should only be afforded moderate weight in the planning balance.
78. Whilst policy BNE3 of the Local Plan is broadly consistent with the Framework it is also out of date as it safeguards land based on the housing requirement in Policy 4 which is also out of date. As such, limited weight should be attached to the conflict of the scheme with policy BNE3.
79. In accordance with the Framework, planning permission should be granted for the proposal, unless:
 - c. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - d. 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.

Emerging Central Lancashire Local Plan

80. Chorley Council is working with Preston and South Ribble Councils to produce a Central Lancashire Local Plan (CLLP). Once adopted, this will replace the existing joint Core Strategy and Chorley Local Plan. The CLLP is at the Preferred Options Stage and public consultation on Preferred Options Part 1 closed in February 2023.
81. The majority of the proposed site was consulted on as part of the Preferred Options Part 1 consultation, site ref CH/HS1.4 'Land South East Belmont Road/Abbey Grove'. Responses to this consultation are being reviewed and will inform Preferred Options Part 2. In addition, a number of assessments are ongoing and will inform decisions made on sites to be taken forward as part of the development of the CLLP. The Part 2 consultation document will comprise a full suite of draft policies, both strategic and development management (non-strategic) policies, in addition to proposed allocations for all land uses. It will also set out the infrastructure that will be required to support the growth that is planned for Central Lancashire.

Impact on the character and appearance of the area

82. 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 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; and 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.
83. Policy BNE10 (Trees) of the Chorley Local Plan 2012 -2026 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.
84. 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.
85. 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.
86. 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.
87. The application site covers approximately 5 hectares and comprises greenfield land with scattered mature trees and is framed by woodland corridors. The site is undeveloped and

site levels fall away down to the adjoining River Douglas and an area of woodland. The south-western boundary is formed by the railway embankment which separates and encloses the site from the industrial uses on the opposite side (Adlington South Business Park).

88. The site is adjoined by residential development to the north, with a varied development pattern, style and form, but characterised by low density late 20th Century housing. The prevailing character of the immediate area is residential in nature.
89. The layout has been designed with an interconnected hierarchy of transport routes that are effectively integrated into the network. It maintains a green and semi-rural character within the site that features a variety of green infrastructure and respects its urban fringe setting. A range of house sizes and tenures are proposed that reflects the housing demands of the local population and attracts a diversity of residents.
90. The building to plot ratios would be in-keeping with the surrounding area and the overall density of the development is 27 dwellings per hectare. In this regard, it is considered that the proposed development makes the most efficient use of the developable area of land and makes good use of site constraints by incorporating green infrastructure and ecological enhancements within the scheme. In addition, the green infrastructure also serves to provide separation to neighbouring properties.
91. The proposed development provides a mix of 1 bed, 2 bed, 3 bed, 4 bed and 5 bed properties, which would achieve a mixed and well balanced community. The scale of the development is reflective of the predominantly two storey scale found within the surrounding area, and prominent corner plots are well designed within the use of dual fronted properties to add visual interest to the streetscene. The proposed materials are appropriate to the locality with a mixture of brickwork and roof tile colours, which would assimilate well with the surrounding dwellings.
92. A variety of boundary treatments are included as part of the design proposals. These will help to create a clear demarcation between public and private space, contributing towards a well-defined public realm and street scene. The proposal would involve the removal of five trees, some of which are covered by a Tree Preservation Order but only one (located at the proposed site entrance) being categorised as a Category B tree (moderate quality/value), the others being low quality (Category C) or need removal due to disease or other factors (Category U). Over 100 trees and over 300 whips would be planted as part of the landscaping scheme, in addition to hedges and shrubs.
93. Overall, it is considered that the proposal would be acceptable in terms of its impacts upon the character and appearance of the site and the wider area and complies with policies BNE1 and BNE10 of the Chorley Local Plan and Core Strategy policy 17 in this regard.

Impact on neighbouring amenity

94. 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.
95. The application proposes a residential development of 137 dwellings adjacent to existing residential areas.
96. All interface distances between the existing surrounding dwellings and the proposed dwellings meet the Council's minimum guideline distances and so are considered acceptable. The proposed dwellings have been designed in such a way so as to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.

97. With regards to noise, dust and other potential pollution during the construction period, these would be short in duration and limited in intensity. Such impacts could be adequately controlled through a construction environmental management plan (CEMP) which can be required to be submitted to the Local Planning Authority for approval prior to works commencing.
98. Having regard to the above, the proposed development is considered to accord with Chorley Local Plan policy BNE1 in respect of amenity.

Impact on ecological interests

99. 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.
100. The application is accompanied by an ecological survey and assessment. The Council's ecological advisors have raised no objection to the proposal, subject to conditions.
101. The submitted biodiversity net gain assessment has been assessed as sufficient to ensure a net gain in biodiversity can be provided at the site. It is recommended that this be secured by planning condition.
102. The application is considered to be acceptable in terms of its potential impacts upon ecological receptors, subject to conditions. It is considered that the proposal complies with policy BNE9 of the Chorley Local Plan 2012-2026.

Traffic and Transportation

103. 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.
104. Policy ST1 (New provision of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development) of the Chorley Local Plan 2012 -2026 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.
105. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network and their initial comments on the application were as follows:

"I refer to the above planning application and would like to thank you for the opportunity to provide comments. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network.

With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists and public transport in and around the area have been identified.

LCC embraces appropriate development within Lancashire in line with local and national policies / frameworks and that, which is emerging. This involves working closely with planning authorities, in this case officers of Chorley Council and developers and their representatives. This approach supports the delivery of high quality, sustainable development and an appropriate scale of development that can be accommodated both locally and strategically.

Summary

LCC Highways does not have any objections regarding the proposed erection of 137no. dwellings, of which 30% will be affordable, together with associated roads, car parking and landscaping works and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Introduction

The proposed development is located within the settlement of Adlington, north of the railway line through Adlington and south of an existing development which will provide vehicular access onto the adopted highway network. An existing Public Right of Way (PROW) runs along the eastern boundary of the proposals.

There are public transport services to the north and west of the proposed development along Bolton Road and Railway Road. These services are comprised of bus services and train services and are accessed via the existing residential developments to the north and west of the proposed development. The link to the public transport services to the north of the proposal is much less attractive than the link to the west due to steep gradients.

Proposed Development

The proposed development is for the erection of 137no. residential dwellings with associated infrastructure works. It is proposed as part of this associated infrastructure works to provide a shared pedestrian and cycle link to the existing adopted highway at Grove Farm Drive to the west of the proposals. It is proposed to incorporate an existing Public Right of Way (PROW) into the development site and improve the existing PROW provision.

Parts of the proposed development will connect to the adopted highway network, a section 278 agreement will be required to enable this.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developer@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

Proposed Trip Generation

The proposed trip generation of the proposals are acceptable in LCC Highways opinion and would not create an unacceptable impact on highway safety or capacity.

Sustainable Transport

A shared pedestrian and cycle link are proposed from the development into Grove Farm Drive which is part of the adopted highway network. LCC Highways are satisfied that the proposals sufficiently promote sustainability (in highway matters) and promote inclusive mobility. This shared pedestrian and cycle link will require a section 278 agreement to connect to the adopted highway.

The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email developeras@lancashire.gov.uk, in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.

Private Car Parking

Having assessed the proposed private car parking it is LCC Highways opinion that the proposed private car parking meets the requirements set out in Chorley's Local Plan.

Private Road Layout

Much of the proposed private road layout meets LCC Highways minimum requirements for residential developments to be considered for adoption. These minimum dimensions are a carriageway width of 5.5 metres and flanked on either side by 2 metres wide footways. Until an adoption agreement has been reached between the applicant and LCC in its role as the LHA a management and maintenance program will be required. The parts of the private road that are not adopted will require a permanent management and maintenance program.

It is noted that Rossendale Drive to the north of the proposals which will provide vehicular access is not currently part of the adopted highway network. LCC Highways would not consider the currently proposed private road layout for adoption until Rossendale Drive was adopted.

The proposed traffic calming at the junction adjacent to plots 25, 110, 111 & 132 may be required to be removed as part of a section 38 agreement. This would be determined during the technical approval stage of the section 38 agreement.

Amended vehicle tracking has been received, which whilst using an older planning layout has satisfied LCC Highways concerns on the effective manoeuvring of refuse vehicles. An older planning layout has been used the proposed carriageway dimensions either match the currently proposed carriageways or are below the currently proposed. As the vehicle tracking proves that the turning heads can be used effectively with either the same carriageway widths or worse, LCC Highways are satisfied that the proposed private road layout will allow for effective use by refuse vehicles and emergency services.

Public Right of Way

Following discussions with LCC's Public Rights of Way (PROW) team, it has been confirmed that the PROW team accept the proposed changes to the existing PROW (FP 0901008) as shown in the submitted plan "Proposed Planning Layout" [Dwg No: SK308-AD02, Rev: P].

Construction Traffic

Were the application to be granted a Construction Traffic Management Plan will be required to mitigate the impact of construction traffic on other highway users and the local highway network.

Travel Plan

Due to the number of proposed dwellings, LCC Highways would a travel plan to be produced with a S106 contribution to enable support from LCC Highways in the execution of the Travel Plan.

The S106 contribution required is based off the number of proposed dwellings and would be £6,000.00 (six thousand pounds).

Section 106 Contributions

As Travel Plan support from LCC Highways will be required a section 106 contribution to the value of £6,000.00 (six thousand pounds) is requested.

Conclusion

In conclusion LCC Highways can support the proposed development. A section 278 agreement would be required for the integration of the proposed links to the adopted highway. A management and maintenance agreement would be required for the proposed internal private road layout. A Construction Traffic Management Plan would be required to mitigate the impact of the construction phase of the development. A section 106 contribution of £6,000 is required for LCC Highways to help support the implementation of the travel plan”.

106. In conclusion, the level of proposed parking and other highway implications of the proposal are considered to be acceptable, subject to conditions and a S106 agreement to secure the above referenced contribution. The other measures would be delivered by a S278 agreement under the Highways Act 1980.

Mineral Safeguarding

107. The application site, along with land to the north which has been developed for housing and land to the east, forms part of a designated Mineral Safeguarding Area within the development plan. Policy M2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) – Site Allocation and Development Management Policies - Part One 2013 seeks to protect mineral resources in Lancashire from needless sterilisation.
108. The applicant's Mineral Assessment Review submitted in support of the application identifies that, from a review of geological mapping, it is likely that the safeguarding area relates to the presence beneath the site of brick clay and fire clay, with sand and gravel in the south east corner.
109. Given the close proximity of the site to existing residential and rail development, it is not considered that mineral extraction at this site would be acceptable due to the associated impacts upon residential amenity. The noise, dust, vibration and highway related impacts of quarrying the land in this location would be significant. As such, any mineral resource beneath the site would not be needlessly sterilised as a result of the proposed development and there is no conflict with policy M2 of the JLMWLP.

Public open space

110. 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

111. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.
112. There is currently a surplus of provision in Adlington and Anderton in relation to this standard and the site is within the accessibility catchment (800m) of an area of amenity greenspace. A contribution towards new provision in the ward is therefore not required from this development. However there are areas of amenity greenspace within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) (sites 2051 Barrow Nook Grove, Adlington and 1298 Rear of Chester Place/ Croston Avenue, Adlington). A contribution towards improvements to these sites is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

113. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.
114. There is currently a deficit of provision in Adlington and Anderton in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 100 or more dwellings the required provision for children/young people should be provided on-site. The amount required is 0.03 hectares. A maintenance cost of £17,810 is also required for a 10 year period if private maintenance is not proposed.

Parks and Gardens

115. There is no requirement to provide a new park or garden on-site within this development.
116. The site is within the accessibility catchment (1,000m) of parks/gardens that are identified as being low quality and/or low value in the Open Space Study (sites ref: 2018 Leonard Fairclough Memorial Gardens, Adlington; and 1744 War Memorial Garden, Railway Road, Adlington), a contribution towards improving these sites is therefore required. The amount required is £1,467 per dwelling.

Natural and Semi-Natural Greenspace

117. There is no requirement to provide new natural/semi natural greenspace on-site within this development.
118. The site is within the accessibility catchment (800m) of areas of natural/semi-natural greenspace that are identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) (site 1852 Rear of Otterside Avenue, Adlington), a contribution towards improving these sites is therefore required. The amount required is £557 per dwelling.

Allotments

119. There is no requirement to provide allotment provision on site within this development.
120. The site is within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Harrison Road, Adlington (HW5.4). A contribution towards new allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

121. The Playing Pitch Strategy and Action Plan (December 2018) 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, with borough-level detail provided in the Chorley Open Space, Sports and Recreation Strategy (OSSR) Action Plan 2020 to 2036. The amount required is £1,599 per dwelling.

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

Amenity greenspace	= £19,180
Equipped Play Area	= £17,810 (if not privately maintained)
Parks/Gardens	= £200,979
Natural/semi-natural	= £76,309
Allotments	= £2,055
Playing Pitches	= £219,063
Total	= £535,396 (£517,586 if privately maintained)

123. The on-site amenity greenspace provision and the financial contributions have been agreed by the applicant and could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policy HS4 A and B.

Drainage and flood risk

124. 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.

125. The vast majority of the site lies in Flood Zone 1, although the southern corner is within Flood Zones 2 and 3 due to the location of the River Douglas, 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. Residential and other built development, e.g. roads have therefore been restricted to the part of the site in Flood Zone 1. As has the sustainable drainage pond (SuDS), as requested by the Environment Agency. A further pond would be retained in the north western corner of the site.

126. The application is accompanied by a Flood Risk Assessment and Drainage Strategy and United Utilities, and the Lead Local Flood Authority (Lancashire County Council) have been consulted on the proposals. Neither consultee has raised any objection to the proposed development and have recommended drainage conditions.

127. The primary potential flood risk source to the site is from surface water. The risk associated with surface water will be reduced and sustainably managed post-development, following the implementation of mitigation measures proposed.

128. Due to the relatively low flood risks identified, the principal focus is on the sustainable management of surface water run-off to ensure no increased flood risk results from the development.

129. Ground testing will first be required by the applicant and the results submitted to the LPA via pre-commencement planning condition, to see if infiltration will be possible at the site before the applicant's proposed solution is allowed to be implemented, in accordance with the sustainable drainage hierarchy. The proposed solution is an attenuation basin located in the south east corner of the site with flows restricted to greenfield rates into the River Douglas.

130. Having regard to the advice obtained from the United Utilities and the Lead Local Flood Authority, it is considered that satisfactory drainage of the proposed development could be secured by way of conditions.

Affordable housing

131. Core Strategy policy 7 (Affordable and Special Needs Housing) 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.....”

132. The proposed development includes 30% affordable on-site provision which is in accordance with Core Strategy policy 7. This equates to 41 affordable housing units in total, of which 70% (29 units) would be social rented and the remaining 30% (12 units) would be intermediate affordable housing. The breakdown is as follows:

Social Rent

15 x 1-bed apartments
6 x 2-bed houses
8 x 3-bed houses

Shared ownership

12 x 2-bed houses

133. Subject to the affordable housing provision being secured by way of a s106 legal agreement, the proposal accords with Core Strategy policy 7.

134. There is an acute shortfall in the provision of affordable housing in the borough. This development would make a valuable contribute to the borough-wide need for affordable housing, which is afforded significant weight in the planning balance, as identified in recent appeal decisions.

Sustainability

135. 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 26th March 2015, which effectively removed the 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.”

136. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Building Regulations 2022 have now been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

Employment skills provision

137. 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

138. For housing developments which exceed 30 units, 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

139. An employment and skills plan could be secured by way of a planning condition.

Community Infrastructure Levy

140. 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 would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Planning balance

141. Paragraph 11. d) ii. of the Framework indicates that, where the most important development plan policies for determining the application are out-of-date, 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; the tilted balance.

142. The adverse impacts of the development relate primarily to its conflict with policy BNE3, safeguarding land for future development. However, as the Local Planning Authority cannot demonstrate a 5-year housing land supply policy BNE3 is out-of-date and can only be attributed limited weight. The Framework indicates that the planning system should be genuinely plan-led. There are no other identified negative impacts of the proposal, which cannot be sufficiently mitigated by the imposition of planning conditions.
143. In terms of benefits, the provision of new housing would bring construction and supply chain jobs, places for the economically active to live, increased local spend and greater choice in the local market. These benefits have not been quantified and would apply to any housing development of this scale but are still considerable.
144. The scheme would deliver a policy compliant level of affordable homes to the area of which there is a significant shortfall across the Borough. The new affordable dwellings would provide homes for real people in real need.
145. The application site is considered to be in a sustainable location close to the existing amenities in Adlington.
146. The proposal would boost the supply of housing in a situation where there is no five-year supply and an under-provision of affordable housing and, as a result, moderate weight can be given to the economic benefits and significant weight to the social benefits.
147. The provision of open space and its ongoing management and biodiversity net gains are neutral considerations because they are needed to make the development acceptable.
148. The adverse impacts of the proposed development relating to its conflict with policy BNE3 would not significantly and demonstrably outweigh the economic and social benefits the proposal would deliver. As such, the proposal is recommended for approval.

CONCLUSION

149. The application site is located in a sustainable location on the edge of a settlement identified in the Central Lancashire Core Strategy as a place where growth and investment is encouraged to help meet housing and employment needs. Whilst the proposal would conflict with policy BNE3 of the Chorley Local Plan 2012-2026, these adverse impacts do not significantly and demonstrably outweigh the economic and social benefits it would deliver, as identified above. As such, the proposal is recommended for approval.

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 proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

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

Title	Plan Ref	Received On
HOUSE TYPE V23-137-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor Hatton	V23-137-4D-601	6 June 2022
HOUSE TYPE V23-130-4D M/R FINISH Hatton STYLE V2	V23-117-4D-421 Rev C	25 October 2023
HOUSE TYPE V23-130-4D M FINISH Hatton STYLE V2	V23-117-4D-420	25 October 2023
HOUSE TYPE V23-137-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor Hatton	V23-137-4D-600	6 June 2022
Location Plan	SK398-LOC-01 Rev B	28 August 2022
Proposed Planning Layout	SK308-AD02 Rev Q	16 November 2023
Proposed Movements Plan	SK308-MP-01 Rev I	16 November 2023
Boundary Treatment Plan	SK308-BT-01 Rev I	16 November 2023
Enclosures - 1.8m Brick Screen Wall	STD.15.07	6 June 2022
Enclosures - 1.8m Close Boarded Fence	STD.15.06	6 June 2022
2M High Timber Screen Acoustic Fence Detail	STD.15.46	6 June 2022
Affordable Housing Layout	SK308-AFF-01 Rev L	16 November 2023
Affordable Housing Layout Tenure Split	SK308-AFF-02 Rev L	16 November 2023
POS Soft Landscaping Plan	11281-FPCR-XX- XX-DR-L-0008 Issue P02	10 March 2023
General Arrangement	11281-FPCR-XX- XX-DR-L-0002 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 1 of 5)	11281-FPCR-XX- XX-DR-L-0003 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 2 of 5)	11281-FPCR-XX- XX-DR-L-0004 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 3 of 5)	11281-FPCR-XX- XX-DR-L-0005 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 4 of 5)	11281-FPCR-XX- XX-DR-L-0006 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 5 of 5)	11281-FPCR-XX- XX-DR-L-0007 Issue P03	27 October 2023
12 Block - Elevations	SK308-12A-04	6 June 2022
12 Block - Ground Floor Blackline	SK308-12A-01	6 June 2022
12 Block - First Floor Blackline	SK308-12A-02	6 June 2022
12 Block - Second Floor Blackline	SK308-12A-03	6 June 2022

15 Block Elevations	SK308-15A-04	6 June 2022
15 Block - Ground Floor Blackline	SK308-15A-01	6 June 2022
15 Block - First Floor Blackline	SK308-15A-02	6 June 2022
15 Block - Second Floor Blackline	SK308-15A-03	6 June 2022
HOUSE TYPE V23-72-3MT BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor AVIEMORE	V23-72-3MT-600	6 June 2022
HOUSE TYPE V23-72-3MT BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor AVIEMORE	V23-72-3MT-601	6 June 2022
HOUSE TYPE V23-72-3MT M FINISH AVIEMORE STYLE V2- Option 1	V23-72AV-3MT-420-1 Rev B	6 June 2022
HOUSE TYPE V23-72-3MT M FINISH AVIEMORE STYLE V2- Option 2	V23-72AV-3MT-420-2	6 June 2022
HOUSE TYPE V23-80-3MT/ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor BERWICK	V23-80-3MT/ET/S-600	6 June 2022
HOUSE TYPE V23-80-3MT/ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor BERWICK	V23-80-3MT/ET/S-601	6 June 2022
HOUSE TYPE V23-80-3ET M FINISH BERWICK STYLE V2 - Option 1	V23-80-3ET- 420-1 Rev B	6 June 2022
HOUSE TYPE V23-80-3ET M FINISH BERWICK STYLE V2 - Option 2	V23-80-3ET- 420-2	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CAIRNHILL ET/S	V23-90-3ET/S-600 Rev A	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CAIRNHILL ET/S	V23-90-3ET/S-601	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHHILL ET/S STYLE V2- Option 1	V23-90-3ET/S-420-1 Rev C	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHHILL ET/S STYLE V2- Option 2	V23-90-3ET/S-420-2	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CAIRNHILL ET/S	V23-90-3ET/S-600 Rev A	6 June 2022
Blackline Sales Layout	F21-SMG-CA-00-DR-A-403-602	6 June 2022
HOUSE TYPE V23-90-3ET/S	V23-90-3ET/S-601	6 June 2022

BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CAIRNHILL ET/S		
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHNHILL ET/S STYLE V2- Option 1	V23-90-3ET/S-420-1 Rev C	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHNHILL ET/S STYLE V2- Option 2	V23-90-3ET/S-420-2	6 June 2022
Blackline Sales Layout	F21-SMG-CA-00-DR-A-403-600	6 June 2022
Blackline Sales Layout	F21-SMG-CA-01-DR-A-403-603	6 June 2022
Blackline Sales Layout	F21-SMG-CA-01-DR-A-403-601	6 June 2022
HOUSE TYPE F21-60T-2B3P M FINISH CANNOCK E STYLE V2	F21-60T-2B3P-E-420	6 June 2022
HOUSE TYPE F21-60T-2B3P M FINISH CANNOCK M STYLE V2	F21-60T-2B3P-M-420	6 June 2022
HOUSE TYPE V23-95-3D BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CORRINGHAM	V23-95-3D-600 Rev A	6 June 2022
HOUSE TYPE V23-95-3D BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CORRINGHAM	V23-95-3D-601 Rev A	6 June 2022
HOUSE TYPE V23-95-3D M/TB FINISH CORRINGHAM STYLE V2- Option 1	V23-95-3D- 424-1 Rev D	6 June 2022
HOUSE TYPE V23-95-3D M/TB FINISH CORRINGHAM STYLE V2- Option 2	V23-95-3D- 424-2	6 June 2022
HOUSE TYPE V23-96-3S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CULROSS	V23-96-3S-600 Rev A	6 June 2022
HOUSE TYPE V23-96-3ET BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CULROSS	V23-96-S-601 Rev A	6 June 2022
HOUSE TYPE V23-96-3S M/T FINISH CULROSS STYLE V2- Option 1	V23-96-3S- 424-1 Rev D	6 June 2022
HOUSE TYPE V23-96-3S M/T FINISH CULROSS STYLE V2- Option 2	V23-96-3S- 424-2	6 June 2022
HOUSE TYPE V23-106-4S/D BLACKLINE SALES LAYOUT	V23-106-4S/D-600	6 June 2022

SHERBOURNE SPEC Ground Floor DEWSBURY		
HOUSE TYPE V23-106-4S/D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor DEWSBURY	V23-106-4S/D-601 Rev A	6 June 2022
HOUSE TYPE V23-106-4D M/T FINISH Dewsbury STYLE V2	V23-106-4D-424 Rev D	6 June 2022
HOUSE TYPE V23 -111-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor ELLAND	V23-110-4D-600	6 June 2022
HOUSE TYPE V23-110-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor ELLAND	V23-110-4D-601	6 June 2022
HOUSE TYPE V23-110-4D M FINISH Elland STYLE V2 - Option 1	V23-110-4D-420-1 Rev B	6 June 2022
HOUSE TYPE V23-110-4D M FINISH Elland STYLE V2- Option 2	V23-110-4D-420-2	6 June 2022
HOUSE TYPE V23-118-4D M/R FINISH Farnham STYLE V2 -Option 2	V23-118-4D-421-2	6 June 2022
HOUSE TYPE V23-118-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor FARNHAM	V23-118-4D-600 Rev C	6 June 2022
HOUSE TYPE V23-118-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor FARNHAM	V23-118-4D-601 Rev A	6 June 2022
HOUSE TYPE V23-118-4D M FINISH Farnham STYLE V2- Option 1	V23-118-4D-420-1	6 June 2022
HOUSE TYPE V23-123-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor GARSDALE	V23-123-4D-600	6 June 2022
HOUSE TYPE V23-123-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor GARSDALE	V23-123-4D-601	6 June 2022
HOUSE TYPE V23-123-4D M/T FINISH GARSDALE STYLE V2	V23-123-4D-424 Rev B	6 June 2022
Blackline Sales Layout - Ground Floor	F21-SMG-HA-00- DR-A-403-602	6 June 2022
Blackline Sales Layout - Ground Floor	F21-SMG-HA-00- DR-A-403-600	6 June 2022
Blackline Sales Layout - First Floor	F21-SMG-HA-01-	6 June 2022

	DR-A-403-603	
Blackline Sales Layout - First Floor	F21-SMG-HA-01-DR-A-403-601	6 June 2022
HOUSE TYPE F21-72T-3B4P M FINISH HALDON M STYLE V2	F21-72T-3B4P-M-420	6 June 2022
HOUSE TYPE F21-72T-3B4P M FINISH HALDON E STYLE V2	F21-72T-3B4P-E-420	6 June 2022
HOUSE TYPE V23-128-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor HARRIS	V23-128-4D-600 Rev B	6 June 2022
HOUSE TYPE V23-128-4D Peregrine House M FINISH Harris STYLE V2	V23-128-4D-420	6 June 2022
HOUSE TYPE V23-128-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor HARRIS	V23-128-4D-601	6 June 2022
HOUSE TYPE V23-128-4D M/R FINISH Harris Style V2	V23-128-4D-421 Rev B	6 June 2022
HOUSE TYPE V23-139-5D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor KENDAL	V23-139-5D-600 Rev A	6 June 2022
HOUSE TYPE V23-139-5D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor KENDAL	V23-139-5D-601 Rev A	6 June 2022
HOUSE TYPE V23-139-5D Peregrine House M FINISH Kendal STYLE V2 - Option 1	V23-139-5D-420-1	6 June 2022
HOUSE TYPE V23-139-5D M/R FINISH Kendal STYLE V2 -Option 2	V23-139-5D-421-2	6 June 2022
HOUSE TYPE V23-152-5D-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC Ground Floor Leven & Leven Signature	V23-152-5D-4D-600	6 June 2022
HOUSE TYPE V23-152-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor Leven Signature	V23-152-4D-602 Rev A	6 June 2022
HOUSE TYPE V23-152-5D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor LEVEN	V23-152-5D-601 Rev A	6 June 2022
HOUSE TYPE V23-152-5D-4D M/T FINISH Leven STYLE V2 -Option 1	V23-152-5D-4D-424-1 Rev C	6 June 2022

HOUSE TYPE V23-155-5D-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC Ground Floor Lytham & Lytham Signature	V23-155-5D-4D-600 Rev B	6 June 2022
HOUSE TYPE V23-155-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor Lytham Signature	V23-155-4D-602	6 June 2022
HOUSE TYPE V23-155-5D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor LYTHAM	V23-155-5D-601	6 June 2022
HOUSE TYPE V23-155-5D-4D M/R FINISH Lytham STYLE V2 -Option 2	V23-155-5D-4D-421-2	6 June 2022
Bin Store - 12 Block	W0999-DET-105	6 July 2022
DETACHED GARAGE DETAILS Single Detached Plans, Section & Elevations CONSTRUCTION ISSUE	STD.09.104	6 June 2022
Cycle Store	W0999-DET-106 Rev A	6 June 2022
HOUSE TYPE V24-155-5D-4D M FINISH Lytham STYLE V2	V24-155-5D-4D-420	16 November 2023
Street Scenes	SK308-SS01 Rev B	16 November 2023
Street Scenes	SK308-SS02 Rev A	16 November 2023
Street Scenes	SK308-SS03 Rev A	16 November 2023
Street Scenes	SK308-SS04 Rev A	16 November 2023

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

3. Prior to their installation, images and specifications for all hard surfacing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in strict accordance with the approved details.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. Prior to their installation, specifications and images of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

5. Boundary treatments shall be erected as shown on approved drawings SK308-BT-01 Rev I, STD.15.07, STD.15.06 and STD.15.46. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

6. Before the development hereby permitted is first commenced full details of existing and proposed ground levels, proposed building finished floor levels (all relative to ground levels adjoining the site) and full details of any retaining walls/structures shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown

on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

7. No removal of or works to any hedgerows, trees or shrubs or other vegetation shall take place between 1st March and 31 August inclusive, unless a competent ecologist has undertaken a detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the Local Planning Authority.

Reason: Nesting birds are a protected species.

8. All planting, seeding or turfing comprised in the approved details of landscaping shown on approved drawing refs. 11281-FPCR-XX-XX-DR-L-0002 Issue P03, 11281-FPCR-XX-XX-DR-L-0003 Issue P03, 11281-FPCR-XX-XX-DR-L-0004 Issue P03, 11281-FPCR-XX-XX-DR-L-0005 Issue P03, 11281-FPCR-XX-XX-DR-L-0006 Issue P03, 11281-FPCR-XX-XX-DR-L-0007 Issue P03 and 11281-FPCR-XX-XX-DR-L-0008 Issue P03 shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interest of the appearance of the locality.

9. Prior to the construction/provision of any services within a phase, a strategy to facilitate super-fast broadband for future occupants within that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.

Reason: To ensure a sustainable form of development.

10. The development shall not commence until an Employment and Skills Plan that is tailored to the development and will set out the employment skills opportunities for the construction phase of the development has been submitted to and approved by the council as Local Planning Authority (unless otherwise agreed in writing by the council). The development shall be carried out in accordance with the Employment and Skills Plan (in the interests of delivering local employment and skills training opportunities in accordance with Core Strategy Policy 15: Skills and Economic Inclusion).

Reason: In the interests of delivering local employment and skills training opportunities as per the Central Lancashire Core Strategy Policy 15: Skills and Economic Inclusion and the Central Lancashire Employment Skills Supplementary Planning Document September 2017. No Employment and Skills Plan was submitted with the application.

11. No development shall take place until the following has been completed and the results verified with the Local Planning Authority:

- Completion of ground gas monitoring programme.
- Update gas risk assessment within this report.
- Supplementary delineation of made ground near to TP21 (or watching brief during site strip).
- Geotechnical earthworks laboratory testing on soils to help enable the development of an earthworks specification, if required.
- Design of Remedial Strategy and confirmation with the Local Authority / NHBC
- Production of Materials Management Plan (MMP) under the CL:AIRE DoWCoP, if required

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals, including the approved Phase 1 and Phase 2 Geo-Environmental Assessment Reports submitted in support of the approved planning application.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that contamination on site is remediated to an appropriate standard for the end use.

12. Prior to the commencement of development, an arboricultural method statement and details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be undertaken in strict accordance with the approved details.

Reason: To safeguard retained trees and hedgerows and in the interests of visual amenity.

13. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment and surface water sustainable drainage strategy LRD32530 Issue B produced in September 2022 by Sutcliffe The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.

14. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

15. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) Details of whom to contact if pollution is seen in the system or if it is not working correctly.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.

16. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity

Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.

17. No development shall commence until a Construction Traffic Management Method Statement (CTMMS) has been submitted to and approved by the Local Planning Authority in conjunction with the Highway Authority. The CTMMS shall include details relating to:

- Pre-construction highway condition survey and a subsequent scheme for the reinstatement of any highway verges and footways disturbed by abnormal loads associated with the development.
- Any temporary or permanent highway alterations and improvements necessitated by the development, including details of temporary warning signing.
- Measures for reinstating the highway after the removal of any temporary works together with details of the timing of any remediation measures;
- Construction vehicle routing;
- The management of junctions and crossings of the public highway;
- The timing of delivery vehicle movements;
- Details of banksmen/escorts of abnormal loads;
- Traffic management of the existing highway network.

The development shall be carried out in accordance with the approved CTMMS at all times unless otherwise agreed in writing with the local planning authority.

Reason: To maintain the operation of through routes in the area during the sites period of construction and to ensure the safety of other highway users.

18. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority.

[The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

Reason: To ensure the streets are built to the correct standards for highway safety reasons.

19. The car parking area and manoeuvring area the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least sub base before any development takes place within the site.

Reason: To ensure that provision is made for the storage of materials and contracting staff.

20. No building or use hereby permitted shall be occupied or the use commenced until the car parking areas have been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times

Reason: To allow for the effective use of the parking areas.

21. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The CEMP shall provide for:

- a) hours of operation (including deliveries) during construction;
- b) storage of plant and materials used in constructing the development;
- c) siting of cabins, site compounds and material storage area(s);
- d) the erection of security hoarding where appropriate;
- e) wheel washing facilities that shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway;
- f) measures to mechanically sweep the roads adjacent to the site as required during the full construction period;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- i) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties; and

The approved development shall be carried out in accordance with the approved CEMP.

Reason: To protect existing road users and to maintain the operation ad safety of the local highway network and to minimise the impact of the construction works on the local highway network.

22. Prior to any development taking place above DPC level, a phasing plan for the delivery of the on-site public open space shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the provision of these areas shall be carried out in strict accordance with the approved details and retained as such thereafter.

Reason: To ensure the delivery of the public open space.

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

Reason: To contribute to and enhance the natural and local environment.

24. Prior to any development of the superstructure of the approved foul water pumping station taking place, details of its scale and appearance shall have first been submitted to and approved by the Local Planning Authority.

Reason: The interests of the amenity of local residents and the character and appearance of the site.

25. The approved development shall be carried out in strict accordance with the mitigation measures specified at Sections 5.6 to 5.16 and 5.18 of the submitted noise assessment covering acoustic fencing, glazing, ventilation and insulation for bedrooms located in roof spaces and the Chorley Council document "Code of Practice for Construction and Demolition". Vibration monitoring shall also be carried out during any piling phases, to assist with the investigation and assessment of any vibration complaints, should they be received

Reason: In the interests of the amenities of local residents.

26. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

Reason: To contribute to and enhance the natural and local environment.

27. Prior to the commencement of development, a method statement and risk assessment shall be submitted to the Local Planning Authority for review, in consultation with Network Rail, and approved in writing by the Local Planning Authority.

The above must relate to all works to be undertaken within 10m of the operational railway. Any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.

28. Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway, the details of which will have first been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

Reason: To protect the adjacent railway from unauthorised access.

29. Prior to any vibro-impact works taking place on site, a risk assessment and method statement shall be submitted to and approved by the Local Planning Authority, in consultation with Network Rail.

Reason: to prevent any piling works and vibration from de-stabilising or impacting the railway.

30. Prior to the commencement of development details of how disposal of surface and foul water will be directed away from the railway shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

Reason: : To protect the adjacent railway from the risk of flooding, soil slippage and pollution.

31. Prior to the commencement of development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

Reason: To protect the adjacent railway and its boundary.

32. Prior to the commencement of development details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

Reason: to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.

33. Prior to its erection, full details of any scaffolding works within 10m of the railway boundary shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding.

34. Notwithstanding the details on any submitted plans and prior to installation of any equipment, details of the equipment for the LEAP (play area) shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details.

Reason: To ensure that the LEAP provides an appropriate range of equipment and is implemented in a timely manner and for the avoidance of doubt.