

APPLICATION REPORT – 24/00242/FUL

Validation Date: 28 March 2024

Ward: Buckshaw And Whittle

Type of Application: Full Planning

Proposal: Erection of 6no. dwellings following demolition of outbuildings

Location: Rotherham Top Farmhouse Preston Road Whittle-le-woods Chorley PR6 7PG

Case Officer: Chris Smith

Applicant: Primrose Holdings Ltd

Agent: MacMarshalls Ltd

Consultation expiry: 25 April 2024

Decision due by: 13 September 2024 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £804.00 towards the provision of equipped play area for children/young people.

SITE DESCRIPTION

2. The application site is located within the settlement area of Whittle le Woods on the northern side of the residential cul de sac Lea Road. The site is an irregularly shaped parcel of land measuring approximately 0.46 hectares, and it is positioned around a Grade II listed residential property (Rotherham Top Farmhouse) which is not itself located within the red edge of the application site.
3. The site contains a pair of buildings including, immediately to the west of the listed building, a large, pitched roof timber building with an adjoining flat roof car port and in the north west corner of the site there is a large brick built building. The immediate locality is predominantly residential and characterised by a variety of housing types including single and two storey dwellings as well as dwellings that are detached, semi-detached and terraced.
4. There is an existing vehicular access point to the site from Lea Road in the south west corner of the site. There is also a separate pedestrian access from Lea Road adjacent to a pair of modern semi-detached dwellings.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks planning permission for the erection of 6no. dwellings, following the demolition of the existing buildings located across the site. The proposed dwellings would be of a traditional form with contemporary features and would have driveway parking to the frontages with garden areas at the front and rear. Four of the dwellings would have detached garages.

6. Vehicular access to the site would be via an existing access point which leads to the site from Lea Road which sits between nos. 4 and 8 Lea Road. A new driveway to serve the dwelling at plot no. 8 would be built and this would be accessed directly from Lea Road.
7. It should be noted that the proposed development has been amended since first being received by the Council at the request of the case officer. Amended plans have been submitted in order to reduce the size of the dwellings at plots 3 and 4 and reposition the dwelling at plot 8. This was in response to comments provided by the Council's Heritage Advisors at Growth Lancashire regarding the potential impacts of the development on the Grade II listed farmhouse.

REPRESENTATIONS

8. 11no. representations have been received citing the following grounds of objection to the proposed development –
 - There are no plans for plot 1.
 - Why do 8 dwellings require 3 access roads?
 - Who will maintain grass verges at the gated entrance?
 - How wide will access adjacent to no. 2 Lea Road be?
 - Site will be used as a rat run.
 - Access road via a gate on Lead Road is not wide enough for two vehicles.
 - How will refuse and emergency vehicles enter the development?
 - How will the developer enter the site during construction?
 - Plot 5 will be directly behind my house.
 - Loss of trees.
 - Ecological impacts.
 - Loss of privacy and outlook.
 - Highway safety.
 - Construction traffic.
 - Drainage.
 - Site boundaries.
 - Traffic.
 - The dwellings will have minimal positive impact on meeting local housing targets.
 - Building materials/waste will be deposited on highways.
 - Design out of keeping with the character of the locality.
 - Highways comments relate to 6 properties when there will be 8 new properties at the site.
 - Loss of property values.
 - Bats / ecology.
 - Underground power cable.
 - Noise and disruption during construction.
 - Development will undermine the historic value of the Grade II listed building.
 - There is no requirement to build on the site.

CONSULTATIONS

9. Chorley Council's Tree Officer – Has stated that it is proposed to remove eleven trees to facilitate the development and the trees to be removed do provide a moderate level of visual amenity and have value as a screen from the adjacent properties, however, they are not of exceptional arboricultural significance.
10. Greater Manchester Ecology Unit (GMEU) – Have no objections subject to conditions.
11. Growth Lancashire (GL) – Have advised that the key considerations in respect of the impact of the proposal on the heritage asset, are whether the proposed development would harm the setting and the significance of the Grade II listed Rotherham Top Farmhouse.

GL initially advised that the dwellings at plots 3 and 4 would be overly large and that they would be positioned in such a way that they would encroach upon the space currently afforded to the listed building, despite the proposed dwellings being in the location of the existing large and partially dilapidated building in the north west portion of the site. They also advised that the proposed dwelling at plot 8 would obscure some views of the listed building from Lea Road. Overall, they considered that the proposed scheme would be overly dense as the new properties would encroach on the listed building thereby diminishing its significance.

However, following the Council's receipt of amended plans to address the identified heritage issues, GL have advised that the amendments are welcomed and although the changes do not completely alleviate the harm previously identified, this would be less than substantial (low level) harm to the significance of the listed building which would require the LPA to undertake a weighted balance under paragraph 208 of the National Planning Policy Framework.

12. Lancashire County Council Highway Services (LCC Highways) – Have no objections subject to conditions.
13. The Coal Authority – Recommend low risk/standing advice.
14. United Utilities (UU) – Have no objections subject to conditions.
15. Whittle le Woods Parish Council – No comments have been received.

PLANNING CONSIDERATIONS

Principle of the development

16. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. The site is located in a sustainable location with access to public transport and local amenities such as shops, schools, community centre facilities, churches, sports and leisure facilities, employment sites and public houses, and the means to access other nearby amenities relatively easily.
17. Policy 1(d) of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in Urban Local Service Centres to help meet housing and employment needs. Whittle le Woods is identified as one of the Urban Local Service Centres and therefore the proposed development is in line with this policy.
18. The application site appears to be in a mix of uses with the planning history of the site demonstrating that it has been used for a variety of activities including industrial processing as a meat cutting factory (app ref: 74/00524/FUL) and agriculture as a chicken hatchery (app ref: 74/00097/S53). The site is not, therefore, solely domestic, however, some areas of it clearly do form a part of the residential curtilage and domestic garden to Rotherham Top Farmhouse and, therefore, for the avoidance of doubt an assessment has also been carried out in relation to policy HS3 of the Chorley Local Plan 2012 – 2026. This states that development within private residential gardens on sites not allocated for housing will only be permitted for:
 - (a) *appropriately designed and located replacement dwellings where there is no more than one for one replacement.*
 - (b) *the conversion and extension of domestic buildings.*
 - (c) *infill development on gardens which is classified as the filling of a small gap in an otherwise built-up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*

19. The proposed development does not specifically comply with criteria (a) or (b) due to the nature of what is proposed. With regards to criteria (c), the site does form a gap in the pattern of development along Lea Road and is located within a built-up area of urban character, comprising residential housing estates. The application site is a relatively large garden area to the existing dwelling Rotherham Top Farmhouse which is a visual deviation from the more conventionally proportioned residential gardens which characterise neighbouring dwellings and, therefore, the site appears somewhat incongruous within the context of its surroundings. Consequently, it is accepted that there is an opportunity for infill development.
20. Paragraph 5.27 of the preamble to Policy HS3 states that when assessing applications for garden sites, the Council will also have regard to the relationship of development with surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The preamble also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.
21. It is noted that the immediate locality is characterised by a variety of property types from different architectural time periods, including single storey, two storey, detached and semi-detached properties although to the east Preston Road is much more urbanised and less residential in character with a variety of commercial premises evident including a petrol filling station and an associated retail convenience store. The character of the most immediate locality adjacent to the north, west and south of the site, however, is overwhelmingly residential with a low-density suburban form. The proposed development comprises 4no. detached dwellings and 2no. semi-detached dwellings. The layout is such that it would reflect the siting and scale of neighbouring properties located along Lea Road and Bluebell Close and Lupin Close to the west and north. At a density of 13 dwellings per hectare the density of the proposed scheme would be low and consistent with the character of the area, whilst the dwelling to plot ratio would provide similarly sized garden areas to other nearby properties and would be largely reflective of local character.
22. At present, most of site is a relatively large parcel of mixed-use land with a limited planning history, although this does indicate that there has been a history of industrial processing at the site which contains a pair of detached outbuildings including a large storage building which is a remnant of the former agricultural use of the site. This building appears relatively discordant and is not reflective of the local residential character, and its preservation would be of no particular value to the distinctiveness of the area. It is considered that the replacement of the building which appears somewhat tired and is relatively dilapidated, would represent a significant visual improvement, which would make a positive contribution to the visual characteristics of the immediate locality.
23. Policy HS3 includes the additional sustainability criteria detailed above, and in terms of this issue there are factors which weigh in favour of the proposal. The site is located in the settlement area of Whittle le Woods and has a good level of accessibility to shops, schools and other services and amenities, public transport and local employment opportunities and is within 1.5km of a Tesco superstore. There is also a petrol filling station immediately to the east. In terms of bus stops, there are bus stops on both side of Preston Road within close proximity to the site.
24. In consideration of the above, the proposed development is considered to be acceptable in principle.

Impact on character and appearance of locality

25. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, among other things, the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a

high quality and respect the character of the site and local area; and that the proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site. The policy is considered to be consistent with the Framework and should be attributed full weight.

26. The nearest housing stock to the development comprises two storey semi-detached residential properties to the south west at Lea Road as well as several bungalow properties also at Lea Road. To the north west the site is bounded by a low density housing estate characterised by relatively large detached two storey properties. Neighbouring residential properties are of a relatively traditional and standard design with rectangular footprints and dual pitched roofs. The proposed dwellings would be laid out in a low-density pattern that reflects the layout of the properties referred to above. The proposed dwellings would be of a fairly traditional design with rectangular footprint, dual-pitched roofs and a brickwork finish, the details of which are to be confirmed. There would be in-curtilage parking to the frontages with some garden areas to the front and larger gardens to the rear. It is considered that the proposed layout has taken into account the natural constraints and layout of the site as the proposed dwellings would be dispersed evenly across the site and around the existing dwelling at Rotherham Top Farmhouse. Whilst the development would result in the loss of eleven low category trees, the significant boundary trees located in the southern portion of the site are to be retained and replacement tree planting can be secured through the imposition of a planning condition. The existing stone-built boundary wall at the rear of plots 2, 3 and 4 would be retained.
27. Currently the site appears somewhat anomalous and at odds with the existing residential development that characterises the area and the outbuildings suffer a sense of abandonment and appear relatively dilapidated. The proposal represents an opportunity to introduce an active use and to address the poor appearance of the outbuildings and the development would, therefore, represent a significant visual improvement, which would make a positive contribution to the visual characteristics of the immediate locality.
28. Overall, the proposed development would improve the appearance of the site and would not be harmful to the character of the area in line with policy BNE1 of the Chorley Local Plan 2012-2026.

Impact on neighbour amenity

29. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development provided that the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.
30. The existing dwelling at Rotherham Top Farmhouse would be surrounded by the proposed development on all sides and would, therefore, be most affected by it. However, it is under the ownership of the applicant, and it is also noted that the degree of separation between the proposed dwellings and this property would be adequate to ensure that there would be no unacceptable adverse impacts on the amenity of the occupiers of the dwelling.
31. The proposed dwellings would be located to the north west of neighbouring dwellings at Lea Road, to the east of dwellings at Bluebell Close and south of dwellings at Lupin Close. The proposed dwelling at plot 1 would be approximately 11m to east of the neighbouring property at no. 6 Bluebell Close. Although the western side elevation of plot 1 would contain two first floor bedroom windows, they would not face directly towards any of the main areas of private residential amenity space associated with the neighbouring property and views from the windows would predominantly be towards the blank side elevation of this property. Consequently, there would be no unacceptable adverse impact on the amenity of the occupiers of no. 6 Bluebell Close as a result of privacy loss. To its south, the dwelling at plot 1 would bound with the neighbouring property at no. 4 Lea Road, however, it would be approximately 22m away from this neighbouring property and it is not

considered, therefore, that there would be any unacceptable adverse impacts upon the levels of amenity currently enjoyed by the occupiers of this neighbouring property as a result of light loss, overlooking or a loss of outlook.

32. There would be no windows within the side (south west) facing elevation of plot 2 which would be approximately 10m to the north east of no. 6 Bluebell Close and approximately 6.7m to the south east of no. 5 Bluebell Close. There would, however, be a first floor window within the rear (north west) facing elevation of plot 2 which would be approximately 6m away from the rear boundary of the site with no. 5 Bluebell Close. This would not accord with the Council's separation distance for windows to habitable rooms at first floor level which overlook neighbouring garden areas, which should be a minimum of 10 metres from the boundary they face. However, this window would serve an en-suite bathroom and would, therefore, be obscure glazed and it can be conditioned that this is retained at all times.
33. The proposed dwellings at plots 3 and 4, a pair of semi-detached dwellings, would be located immediately to the south of two detached neighbouring properties at nos. 18 and 19 Lupin Close. However, the Council's separation distance of 21m between parallel facing habitable room windows would be complied with and, therefore, there would be no unacceptable adverse impacts on the amenity of the occupiers of nos. 18 and 19 Lupin Close as a result of privacy loss and the degree of separation would also be adequate to ensure that there would no unacceptable levels of light loss.
34. The proposed detached garages at plots 1, 2, 3 and 4 would be modestly proportioned low profile structures with a maximum height of approximately 3.8m, and there would be an adequate degree of separation between the garages and the nearest neighbouring residential properties at Lupin Close to ensure that they have no unacceptable adverse impacts on neighbouring amenity as a result of light loss or overbearing.
35. The proposed dwelling at plot 5 would occupy the north east corner of the site where it would bound with nos. 17 and 18 Lupin Close to the west and nos. 67, 69 and 71 Preston Road to the east and no. 73 Preston Road to the north. The side (east) facing elevation of plot 5 would contain a window at first floor level, however, it would serve a non-habitable room in the form of a landing area. There would also be a first floor window within the side (west) facing elevation, however, this would serve a bathroom and would be obscurely glazed and would be in excess of 10m away from the boundary with the neighbouring plot 4. The degree of separation between plot 5 and neighbouring properties would also be adequate to prevent any light loss or loss of outlook. First floor bedroom windows within the rear (north) facing elevation would be 10m away from the rear boundary of the plot which bounds with no. 73 Preston Road. It is not considered therefore, that the proposed dwelling at plot 5 would have any unacceptable adverse impacts on neighbouring amenity as a result of privacy loss, light loss or a loss of outlook.
36. Plot no. 8, to be located in the south east corner of the site, would be approximately 15m to the north east of no. 2 Lea Road and due to this degree of separation and the northern orientation relative to this neighbouring property, it is not considered that there would be any unacceptable adverse impacts on the amenity of the occupiers of this property as a result of light loss and the degree of separation would be adequate to ensure that there would be no loss of outlook.
37. The proposed dwellings have been designed in such a way as to be compatible with each other without creating any amenity impacts with adjacent plots. There would be an adequate degree of screening around the plots and sufficient private amenity space for future occupiers to carry out day-to-day domestic activities.
38. In light of the above, it is considered that the proposal would be acceptable in terms of amenity impacts and accords with Policy BNE1 in this regard.

Highway safety

39. Policy BNE1 of the Chorley Local Plan 2012-2026 states that developments must not cause severe residual cumulative highways impact or prejudice highway safety, pedestrian safety, the free flow of traffic.
40. Policy ST4 of the Chorley Local Plan 2012-2026 requires that proposals for development need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan which sets out the Council's minimum parking standards for dwellinghouses (Use Class C3) in all other areas outside Chorley Town Centre as being two spaces for 2- or 3-bedroom dwellings and three spaces for 4+ bedroom dwellings.
41. Parking spaces are proposed to serve the development by way of driveway parking spaces and detached garages for plots 2, 3 and 4. LCC Highways do not raise any objections in relation to the car parking proposed. It is considered that the parking provision is acceptable and accords with the Council's parking standards set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
42. Access to the proposed dwellings (apart from plot 8) would be via an existing access point from the existing 20mph estate road - Lea Road. LCC Highways have reviewed the scheme and advised that there are no reported collisions from the 5-year data supplied by Lancashire Constabulary on the estate road. They stated that they do not have any objections to the proposed development and are of the opinion that it would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
43. It is noted that there is also an existing vehicular access from Preston Road to Rotherham Top Farmhouse which runs between the petrol filling station and no. 67 Preston Road and representations have been received raising concerns that this would enable the development to be used as a means of gaining access to Preston Road as a 'rat run'. However, the access leads directly to Rotherham Top Farmhouse only which is not part of the application site and to gain entry to the access vehicles would have to pass through the private amenity space of Rotherham Top Farmhouse. It is accepted that currently there are no boundary treatments between the farmhouse and the application site to serve as a deterrent to this, however, the provision of appropriate boundary treatments can be conditioned.
44. Consequently, it is considered that subject to the implementation of various proposed highway improvements, the cumulative impact of the development on the road network would not be severe and is considered to accord with Chorley Local Plan policy BNE1 in respect of highway safety.

Impact on a designated heritage asset

45. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the primary duty that a Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Great weight and importance is attached to this duty.
46. The Framework at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications, LPAs should take account of:
 - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - The desirability of new development making a positive contribution to local character and distinctiveness.
47. Paragraph 205 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of

whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.

48. Paragraph 206 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
49. Paragraph 208 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
50. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
 - a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
 - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
 - c) Identifying and adopting a local list of heritage assets for each Authority.
51. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:
 - a) Applications affecting a Heritage Asset or its setting will be granted where it:
 - i. Is in accordance with the Framework and relevant Historic England guidance;
 - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
 - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;
 - b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following:
 - i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
 - ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
 - iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
 - iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
 - v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
 - vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.
52. The policy also states that development involving the demolition or removal of significant heritage assets, or parts thereof, will be granted only in exceptional circumstances that have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.
53. The key considerations in respect of the impact of the proposal on the heritage asset are:

1. Whether the proposed development would harm the setting and the significance of the Grade II listed Rotherham Top Farmhouse.

Assessment

54. Paragraph 208 of the Framework states that where a development will lead to less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal. According to paragraph 020 (ref ID: 18a-020-20190723) of the Government's planning practice guidance, public benefits may follow from many developments and could be anything that delivers economic, social or environmental objectives as described at paragraph 8 of the Framework and benefits do not always have to be visible or accessible to the public in order to be genuine public benefits.
55. In this case it is accepted that the public benefits to the proposal would be relatively limited, nevertheless, it is considered that there would be social and economic benefits through the provision of 6no. new dwellings, which is in accordance with the aims of the Framework. Paragraph 60 of the Framework states that to support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed. It is also noted that there would be some additional economic gain through supporting construction jobs and supply chain.
56. Some weight does, therefore, have to be attached to these benefits and given that the significance of the listed building would remain largely unaffected, it is considered that the benefits would be sufficient to outweigh the identified less than substantial (low level) harm to the significance of the designated heritage asset.

Ecology

57. Policy BNE9 of the Chorley Local Plan 2012-2026 sets out how development should safeguard biodiversity. Any adverse impacts on biodiversity should be avoided, and if unavoidable should be reduced or appropriately mitigated and/or compensated.
58. Policy BNE11 of the Chorley Local Plan 2012-2026 states that planning permission will not be granted for development which would have an adverse effect on a priority species, unless the benefits of the development outweigh the need to maintain the population of the species in situ.
59. The application has been supported by the provision of a preliminary ecological appraisal (PEA) and a nocturnal bat survey by Collington Winter. The Council's ecological consultants at the Greater Manchester Ecology Unit (GMEU) reviewed the documents and did not raise any objections to the proposed development. They stated that the stone wall associated with one of the outbuildings on the site was judged to have low potential to support roosting bats, and as such one activity survey was undertaken and no bats or evidence of bats were found roosting on the site.
60. GMEU also stated that buildings have the potential to support nesting birds (Wildlife and Countryside Act, 1981 (as amended) and that the invasive Cotoneaster (Schedule 9, Wildlife and Countryside Act, 1981) was recorded on the site, and it is an offence to plant or cause this species to spread in the wild. Consequently, they advised that works should be timed to avoid the main bird nesting season (March - August inclusive) unless it can otherwise be demonstrated that no active bird nests are present and that any works to the buildings must follow the precautionary working methods for bats identified in 4.1.1 to 4.1.2 in the bat survey report and also the precautionary method of works for badger, hedgehog, amphibians and reptiles identified in the PEA report, should also be followed during the works. They also advised that no site clearance or vegetation removal should be undertaken until a method statement for the control and prevention of spread of invasive species has been submitted to the LPA for approval. This is to be secured by means of a planning condition.
61. It also noted that the planning application was received by the Council before the 2nd April 2024 which is the date on which the Government's new rules for biodiversity net gain (BNG)

came into force, and BNG requirements cannot, therefore, be applied to the proposed development.

62. Having regard to the above, and subject to relevant conditions, it is considered that the nature conservation interest would be sustained, and the proposal is considered to accord with Chorley Local Plan policies BNE9 and BNE11 in respect of ecology.

Impact on trees

63. It is proposed to remove eleven trees to facilitate the proposed development. While the trees to be removed do provide a moderate level of visual amenity and provide some screening from adjacent properties, they are not of exceptional arboricultural significance. Appropriate replanting should be undertaken, and this is to be secured by means of a planning condition. Furthermore, it is considered that tree protection measures submitted in the Arboricultural Method Statement are adequate and adherence to these is to be secured by a planning condition.

Flood risk and drainage

64. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
65. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
66. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that includes details of an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.

Public open space

67. 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:
68. The Council does not require contributions from developments of fewer than 11 dwellings in respect amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments and playing pitches. No contributions are, therefore, required in this case for these standards.
69. With regards to provision for children and young people, there is currently a surplus of provision in Buckshaw and Whittle in relation to this standard and a contribution towards new provision in the ward is therefore not required from this development.
70. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality in the Open Space Assessment Report (February 2019) (sites: 1428.1 Orchard Drive Playground; 1430 Harvest Drive Play Area and 1431 The Ridings Play Area).
71. A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

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

Amenity greenspace	= £0
Equipped Play Area	= £804
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0
Playing Pitches	= £0
Total	= £804

73. The equipped play area provision could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policies HS4 A and B.

Community Infrastructure Levy

74. 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.

CONCLUSION

75. The proposed development is considered to be acceptable in principle and it would be compatible with the pattern and character of development in the area. There would be no unacceptable impact on the amenity of nearby residential occupiers, and it would not give rise to undue harm to ecology, trees, drainage, highway safety and the less than substantial harm to the significance of the identified heritage asset would be outweighed by the public benefits of the proposal. It is, therefore, recommended that planning permission be granted subject to conditions and a s106 agreement.

RELEVANT HISTORY OF THE SITE

Ref: 5/5/06292 **Decision:** WDN **Decision Date:** 5 January 1968
Description: Extension

Ref: 5/5/05397 **Decision:** WDN **Decision Date:** 10 November 1965
Description: Garage

Ref: 5/5/10231 **Decision:** WDN **Decision Date:** 20 December 1973
Description: Change of use from Chicken Hatchery to Meat packing plant

Ref: 82/00220/FUL **Decision:** PERFPP **Decision Date:** 13 July 1982
Description: Re-roofing and reinstating fire damaged store building

Ref: 89/00547/FUL **Decision:** PD **Decision Date:** 3 July 1989
Description: Erection of car port

Ref: 95/00023/FUL **Decision:** PERFPP **Decision Date:** 3 May 1995
Description: Erection of conservatory to rear,

Ref: 95/00024/LBC **Decision:** PERLBC **Decision Date:** 3 May 1995
Description: Listed Building Application for the erection of a conservatory to the rear,

Ref: 24/00099/TPO **Decision:** PERTRE **Decision Date:** 22 April 2024
Description: Application for works to protected trees - Chorley BC TPO 4 (Whittle-le-Woods) 2010: T5 Aspen - Crown lift 2no. limbs as per photograph; T6 Aspen - Crown lift as per photograph; T7 Aspen - Crown lift as per photograph; and install root deflectors

Ref: 24/00251/LBC **Decision:** PENDING **Decision Date:**

Description: Application for listed building consent for the erection of 2no. single storey extensions to existing dwellinghouse (following removal of conservatory) and subdivision to form 2no. separate dwellinghouses

Ref: 24/00250/FUL **Decision:** PENDING **Decision Date:**

Description: Erection of 2no. single storey extensions to existing dwellinghouse (following removal of conservatory) and subdivision to form 2no. separate dwellinghouses

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 external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

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

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

Title	Plan Ref	Received On
Location Plan	23/076/L02	27 March 2024
Proposed Elevations and Floorplans Plot 1	Proposed House Type 3H1269 (Plot 1)	10 April 2024
Proposed Elevations and Floorplans Plot 2	Proposed House Type 3H1269 (Plot 2)	27 March 2024
Proposed Plans - Plot 8	PR-RE-010-PR-100 (8)	15 August 2024
Proposed Elevations - Plot 8	PR-RE-010-PR-200 (8)	15 August 2024
Proposed Elevations and Floorplans Plot 5	Proposed House Type 4H1633 (Plot 5)	27 March 2024
Detail 01 - Boundary Wall Plot 3/4	XX-YY-000-ZZ-400	5 June 2024
Detached Single Garage - Proposed Floorplans and Elevations	23/076/G01	27 March 2024
Detached Single Oak Canopy - Proposed Floorplans and Elevations	23/076/G02	27 March 2024
Proposed Plans - Plots 3 and 4	PR-RE-010-100 (3)	27 August 2024
Proposed Elevations - Plots 3 and 4	PR-RE-010-200 (3)	27 August 2024

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

4. The car parking areas and manoeuvring areas of 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.

5. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

6. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following:-

- o The parking of vehicles of site operatives and visitors;
- o Loading and unloading of plant and materials used in the construction of the development;
- o Storage of such plant and materials;
- o Wheel washing facilities;
- o Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- o Routes to be used by vehicles carrying plant and materials to and from the site;
- o Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.

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

7. No building works and tree works together with any vegetation clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the local planning authority.

Reason: Wild birds and their eggs are protected under Part 1 of the Wildlife and Countryside Act 1981, which makes it illegal to kill or injure a bird and destroy its eggs or its nest whilst it is in use of being built.

8. Work should be undertaken in line with working practices outlined in sections 4.1.1 to 4.1.2 inclusive of the 'Nocturnal Bat Survey Report September 2023' carried out by Collington Winter Environmental, received on 27th March 2024. If at any time any protected species are suspected of being present on the site, work should cease immediately, and an ecologist contacted.

Reason: To safeguard protected species

9. The precautionary method of works for badgers, hedgehogs, amphibians and reptiles should be undertaken in line with working practices outlined in the 'Preliminary Ecological Appraisal Report' by Collington Winter Environmental, received on 27th March 2024. If at any time any protected species are suspected of being present on the site, work should cease immediately, and an ecologist contacted.

Reason: To safeguard protected species

10. Prior to any earthworks or demolition a management strategy and bio-security plan for cotoneaster shall be submitted to and agreed in writing by the local planning authority. The agreed strategy and plan shall thereafter be adhered to and implemented in full.

Reason: Due to the presence of species, listed under schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended).

11. Prior to the first occupation of the dwellings hereby approved bird and bat box provision shall have been created detail of which shall be submitted to and approved in writing by the local planning authority.

Reason: To mitigate habitat loss and offset biodiversity losses.

12. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

13. Prior to any works taking place above DPC level, the following details shall be submitted to and approved in writing by the Local Planning Authority:

a) Details of the colour, form and texture of all external facing materials to the proposed dwellings

b) Details of the colour, form and texture of all hard ground- surfacing materials.

c) Location, design and materials of all fences, walls and other boundary treatments.

d) The finished floor level of the proposed dwelling and any detached garages

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

14. During the construction period, all trees to be retained shall be protected in line with the measures in the 'Arboricultural Impact Assessment and Arboricultural Method Statement' carried out by GM Tree Consultants, received on 27th March 2021.

Reason: To safeguard the trees to be retained.

15. Before any tree felling is carried out full details of 11no. replacement trees shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within the first planting season (October to March inclusive) following completion of development

Reason: To safeguard the visual amenity of the area.

16. The window to the en-suite bathroom in the first floor of the rear elevation of Plot 2 (shown on plan ref: 3H1269 (Plot 2), Received on 27 March 2024) shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.