

Item	11/00080/DIS
Case Officer	Mrs Nicola Hopkins
Ward	Astley And Buckshaw
Proposal	Application to discharge conditions 5, 6, 8, 9, 11, 29, 30 and 46 attached to planning approval 08/00910/OUTMAJ
Location	Group 1 Euxton Lane Euxton Lancashire
Applicant	BAE Systems

Consultation expiry:

Application expiry: 25 April 2011

Proposal

1. This application relates to the discharge of some of the planning conditions attached to the outline planning approval 08/00910/OUTMAJ at Group 1, Buckshaw Village. Conditional outline planning approval was granted in December 2009 which incorporated a total of 47 conditions.
2. This site forms the remaining part of the former Royal Ordnance Factory at Buckshaw Village which will incorporate a mixed use development comprising housing and commercial uses with associated landscape treatment and highway works. The site covers 54 hectares and is split between the administrative boundaries of Chorley and South Ribble
3. As part of the development of Buckshaw Village several Design Codes have been produced which set out the design principles for the site. These Codes have proved a valuable resource in the development of a large site like Buckshaw Village which has been developed in parcels.
4. Due to the size of this site and the required remediation, the site will also be developed in parcels, it was therefore considered important that this Design Code approach was incorporated which would establish the design principles at day one and result in consistent appropriate development across the whole site. This requirement was set out in condition 5 of the outline approval and the applicants have now submitted the Design Code to satisfy the requirements of the condition.

Recommendation

5. It is recommended that the conditions subject to this application are discharged apart from condition 29 which does not require discharging as this is a compliance condition which does not require the submission of details to the Council.

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Purpose for considering this application at DC Committee
 - Condition 5
 - Condition 6
 - Condition 8
 - Condition 9
 - Condition 11
 - Condition 29
 - Condition 30
 - Condition 46

Consultations

7. **Lancashire County Council (Ecology)** has commented on the specific details of the Design Code
8. **Chorley's Conservation Officer** has commented on the specific details of the Design Code
9. **Chorley's Waste & Contaminated Land Officer** has confirmed that he is happy with the overall design code at this stage from a refuse collection/storage view. It makes reference to refuse collection and bin storage but without details; however the Waste & Contaminated Land Officer would expect the finer detail (such as bin store plans, RCV tracking routes) to come with full planning applications.
10. **The Environment Agency** have commented on the submitted information
11. **Lancashire County Council (Highways)** have commented on the submitted information

Assessment

Purpose for considering this application at DC Committee

12. Usually discharge of condition applications are dealt with under delegated powers as the principle of the development has already been established with the grant of permission and the conditions purely relate to the specific details. However the Design Code document is a very important document which will dictate the future development of this site. It is important that this document is established as the approved Design Code for Group 1 as this will give the document greater weight when considering future planning applications at the site and will enable applications which are contrary to the Design Code to be refused.
13. To ensure that all Members are aware of the submission of this document an article was included within 'intheknow' on 11th February and a Member drop in session was held on 21st February. A copy of the document was also available within the One Stop Shop at Union Street.

Condition 5

14. Condition 5 is as follows: Prior to the submission of any reserved matters applications on the site pursuant to Condition 2 a Design Code shall be submitted to and approved in writing by the Local Planning Authority. This Design Code shall be produced in accordance with the Design and Access Statement dated August 2008 and the Supplementary Report to the Design and Access Statement dated January 2009. The Design Code shall include the design principles for the whole of the site and will incorporate, amongst other elements,:
 - The Masterplan for the site
 - Specific character areas incorporating detailing design requirements
 - A highway hierarchy and design considerations including the alignment of the main road through the site linking Central Avenue to the A49
 - A greenspace and landscape structure
 - A movement framework
 - Layout considerations
 - Parking and garaging
 - Appropriate building and hard surfacing materials
 - Details of appropriate boundary treatments
 - Lighting
 - Signage and signposting
 - Sustainability
 - Details of the laying of services, drainage and cables
 - Bin storage and rubbish collection
 - Ecology and nature conservation

Each reserved matters application thereafter shall be submitted in accordance with the Approved Design Code unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review

15. As set out above this condition directly relates to the provision of the Design Code and covers specific details which are required to be included within the Code. The Design Code has been written by Cass Associates and has been subject to various pre-application meetings and submissions to create an acceptable document. The document incorporates various plans which set out an appropriate way of developing the site. These plans are indicative at this stage and the finer details will be approved as part of further planning applications at the site. This allows for flexibility whilst clearly identifying the key principles of the site.
16. In summary the document divides the site into four character areas: three distinct built character areas- Mixed Use Hub, Village and Woodland Greens. There is also the Woodland character area encompassing the large expanse of woodland which exists on the site.
17. Mixed Use Hub- the mixed use hub is adjacent to Central Avenue incorporating parcels C1, C2 and M1 and acts as the main link between Group 1 and Buckshaw Village. Parcels C1 and C2 are wholly commercial parcels and parcel M1 is the mixed use element of the site on a split of 80:20 residential: commercial (including an element of retail). This character area will be constructed as a traditional grid formation which will create a sense of identity. Buildings will be 3 storeys high and front directly onto the highways. The density of the residential elements will be 40-50 dwellings per hectare potentially in the format of town houses above the ground floor commercial elements.
18. Village- the village character area incorporates the two largest housing parcels on the site, parcel H1 (wholly within Chorley) to the south of the site adjacent to the railway line and H5 (wholly within South Ribble) within the northern section of the site. These two parcels will be characterised by a mix of 2, 2.5 and 3 storey dwellings at a density of 30-40 dwellings per hectare. These character areas will incorporate a mix of village streets, informal streets, formal streets and courtyards. These parcels will incorporate the Village Street which connects Central Avenue to the A49. The properties along the Village Street will have direct frontage access to create a 'village' feel and incorporate passive surveillance. Landmark buildings will be incorporated at key locations. The informal streets will be characterised by varying building typologies and will incorporate courtyards and squares. Parcel H1 incorporates a Formal street which will be characterised by an avenue setting, dwellings set back from the highway and in curtilage parking, similar to the 1960s estate development at Buckshaw Village.
19. Woodland Greens- three of the housing parcels (H2, H3 and H4) are sited within enclaves within the existing woodland. These parcels will respond to the character of the surrounding woodland in respect of their layout and character with a density of 20-30 dwellings per hectare. Parcels H2 and H3 are located within Chorley whilst parcel H4 is within South Ribble. These parcels will be characterised by large detached family accommodation reflecting the open character of the woodland with properties facing the woodland area. Parcel H3 is sited adjacent to the existing fire pond which will form an amenity resource as part of the whole development. Parcel H4 is very small with a limited development potential, innovative designed dwellings will be encouraged within this parcel along with parcels H2 and H3.
20. Each of these character areas sites appropriate building typologies, appropriate materials, parking solutions, appropriate boundary treatments, appropriate lighting, signage and solutions for dealing with bins and waste.
21. Woodland- this parcel occupies over a third of the site and is an important feature in dictating the character of the whole site. Proposed enhancements form part of this character area including a central water course (which will be a naturalised treatment of Buckshaw Brook), 2 Neighbourhood Equipped Play Areas, the Fire Pond mentioned above and leisure routes. The proposed development of this character area enhances the existing woodland area and

enables this area, which has previously been inaccessible, to be utilised as an amenity resource.

22. The agent for the application has been provided with specific comments from the planning and conservation officers on parts of the Design Code which will be encompassed within an amended version however the layout and principles of the document will not be altered. The amended version will be submitted prior to DC Committee and the amendments will be reported on the addendum.
23. Lancashire County Council Highway have made specific comments on the detail of the document which include details of the primary route materials, appropriate asphalt materials and signage specification. These have been forwarded to the agent for the application and will be incorporated into the amended document

Condition 6

24. Condition 6 is as follows: Prior to the commencement of the development and the submission of any reserved matters application pursuant to Condition 2 the following details shall be submitted to and approved in writing by the Local Planning Authority:

- Foul and surface water drainage
- Surface water strategy including details of the attenuation ponds
- Nature conservation and enhancement works including details of the proposed ponds
- Provision and layout of public open space
- Provision of footpath and cycle links
- Existing and proposed levels
- Tree works and tree protection measures

Each and every reserved matters application shall be submitted in accordance with the approved details. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the proper and comprehensive planning of the site to create a high quality sustainable development. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review.

25. Condition 6 is directly linked to the Design Code however it relates to the more specific details in respect of the points set out within the condition. It was originally expected that the requirement of this condition would form a separate document however due to the linkages between the two elements it was considered appropriate to attach the above details as a Framework Document to the end of the Design Code which will result in a greater ease of use for future Developers.
26. This document includes sections on Highways & Movement, Drainage, Attenuation & Cabling, Sustainability, Ecology, Existing & Proposed Levels and Tree Works & Tree Protection. This document has been forwarded to The Environment Agency, United Utilities, Lancashire County Council Highways, Lancashire County Council Ecology, the Council's Arboricultural Officer and the Council's Planning Policy section for comment.
27. The document specifically requires details of sustainability and this is covered within chapter 13 of the document. The Council's Planning Policy Section have reviewed this document and confirmed that the text relating to Code for Sustainable Homes accords with the Sustainable Resources DPD. Specific issues on the wording have been raised which have been passed onto the agent for the application to be incorporated into the amended document.
28. Lancashire County Council Ecology have considered the document and have confirmed that the key ecological design requirements, listed within the Design code, should be amended to include avoidance of predicted long-term impacts on the Biological Heritage Site, protected species and other features of ecological importance, such as mitigation areas and retained semi-natural habitats. The Design Code should include clear guidance on appropriate measures to meet this requirement. These comments along with the Ecologist's suggestions have been forwarded onto the agent for the application and will be encompassed within the amended version of the document.

29. The Environment Agency have considered the Drainage and Attenuation Section and have confirmed 'a drainage strategy for the whole site has been prepared by Capita Symonds. The details submitted to discharge Conditions 5, 6 & 11 reflect what has been agreed as part of this strategy and we therefore have no objection to the discharge of the planning conditions (in so far as they relate to surface water disposal & attenuation).'
30. Lancashire County Council Highway have made specific comments on the detail of the document which include details of the traffic calming measures. These have been forwarded to the agent for the application and will be incorporated into the amended document.
31. The document includes the levels details and the restoration levels which will aid in considering future reserved matters applications. The tree details have been forwarded to the Arboricultural Officer and his comments will be included on the addendum.

Condition 8

32. Condition 8 is as follows: Prior to the commencement of the development a movement strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the road hierarchy through the site and the footpath/ cycle linkages through the site. The development thereafter shall be carried out in accordance with the approved movement strategy unless otherwise agreed in writing by the Local Planning Authority.
- Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent/ nearby existing Villages. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*
33. Due to the direct linkages between this condition and the requirements of condition 6 the applicants intend to address the requirements of this condition within the Highways and Movement section of the Framework document. As set out above the Highway Engineer has made specific comments on the document none of which relate to the movement strategy and as such this condition can be discharged.

Condition 9

34. Condition 9 is as follows: Prior to the commencement of the development a landscape strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the informal open space and the structure planting along the southern and western boundaries of the site. In particular the strategy shall detail the phasing of the tree removal along the southern railway boundary, details of the phasing of the replacement tree planting along the southern boundary and the type and size of trees to be planted along the southern boundary. All reserved matters application shall be submitted in accordance with the approved landscape strategy and the development thereafter shall be carried out in accordance with the approved landscape strategy, unless otherwise agreed in writing by the Local Planning Authority
- Reason: In the interests of the proper development of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review*
35. Further details have been requested from the agent for the applicant and will be addressed within the addendum.

Condition 11

36. Condition 11 is as follows: Prior to the commencement of the development a surface water drainage strategy (including a surface water attenuation strategy) shall be submitted to and approved in writing by the Local Planning Authority. The drainage of the site shall thereafter be fully implemented and completed in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority
- Reason: To enable the Local Authority to assess the effects of the proposed development on flood defence/ land drainage. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*
37. Due to the direct linkages between this condition and the requirements of condition 6 the applicants intend to address the requirements of this condition within the Drainage, Attenuation

& Cabling section of the Framework document. The Environment Agency have reviewed this section and confirmed they have no objection (please see paragraph 29). Any comments from United Utilities will be reported on the addendum.

Condition 29

38. Condition 29 is as follows: No part of the development which is accessed from the A49, indicated on the approved Masterplan reference 895/97A, shall be commenced until the A49 access has been constructed in accordance with approved plan reference SCP/06047/SK005 received 28th August 2009 unless otherwise agreed in writing by the Local Planning Authority.
Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.
39. A full application for the access road into the development from the A49 has been submitted to and approved by South Ribble Council in December 2010. The plan has been amended from the reference referred to in the condition. The applicant has been advised that notwithstanding the phrase 'unless otherwise agreed in writing by the Local Planning Authority' within the condition the Local Authority can no longer deal with minor amendments via letter and as such a variation of condition application will be required to refer to the amended plan.

Condition 30

40. Condition 30 is as follows: No development shall take place until full details of the main road through the site between the junction on Central Avenue and the junction on the A49 have been submitted to and approved in writing by the Local Planning Authority. Thereafter Phase 2 of the development, as shown on the Masterplan (reference 895/97A dated 28th August 2009), shall not be commenced until the main road through the site has been constructed between the junction on Central Avenue and the junction on the A49 in accordance with the approved details and is open to public traffic.
Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review
41. A plan detailing the road through the site, connecting Central Avenue to the A49, has been submitted to discharge this condition. This has been forwarded to LCC Highways for comment and their comments will be included on the addendum.

Condition 46

42. Condition 46 is as follows: The 1.2 hectare piece of land safeguarded for the provision of a primary school, in accordance with the associated Section 106 Agreement, (shown on the attached plan) will be grassed and maintained in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority prior to the occupation of any dwellinghouse/ commercial unit. This area of land will be maintained in accordance with the approved details until the occupation of 600th property/ for a period of 10 years from the grant of the first reserved matters approval (whichever is the later).
Reason: In the interests of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
43. The Section 106 Agreement associated with the site includes the safeguarding of a 1.2 hectare piece of land for the provision of a primary school. This is safeguarded until the occupation of 600 dwellings or for a period of 10 years from the grant of the first reserved matters approval whichever is the later. As this land will be left undeveloped for a number of years it was considered appropriate to attach a condition requiring details of how this land will be maintained and managed in the interim period.
44. It is proposed to grass seed the site to create a natural grassland appearance which has low maintenance requirements. The site will be fenced with a 0.6 metre high timber post and rail fence. This is considered to be an appropriate treatment for the site which will not need significant maintenance and as such the submitted information is sufficient to discharge this condition.

Overall Conclusion

45. The Design Code and Framework document has been subject to lengthy pre-application discussions with the Planning Officers from both Chorley and South Ribble Council's and it is considered that the final version, subject to minor amendments to the specific details as set out above, results in a document which sets out the design principles of Group 1. The document ensures that a consistent, high quality development will be achieved which clearly 'leads' the future developers of the site without being prescriptive. As the development of this site is likely to exceed 10 years this document is likely to be subject to ongoing review although the principles as set out now are considered key to the development of this site.
46. The relevant consultees have raised no objections to the document they have just suggested amendments and as such it is considered that, subject to these amendments, the conditions can be discharged.

Planning Policies

National Planning Policies:
PPS25

Adopted Chorley Borough Local Plan Review

Policies: GN2, TR4, EP18

Planning History

- 09/00058/CTY:** Construction of a landscape mound for recreational and nature conservation use, utilising surplus excavation soils from the restoration of the site. Approved by LCC April 2009
- 08/00645/FUL:** Erection of a bat house at Group One, Buckshaw Village. Approved
- 08/01002/FUL:** Erection of a bat house at group one Buckshaw Village. Approved
- 09/00084/FUL:** Erection of a bat house at group one, Buckshaw Village. Approved
- 09/00095/FULMAJ:** Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares). Approved December 2009
- 08/00910/OUTMAJ:** Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Approved December 2009
- 10/00153/DIS:** Application to discharge conditions 4, 9, 10, 11, 12, 14, 16, 17, & 18 attached to planning approval 09/00095/FULMAJ. Discharged April 2010
- 10/00247/DIS:** Application to discharge condition 32 of planning approval 08/00910/OUTMAJ. Discharged April 2010
- 10/00309/DIS:** Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (discharge of phase 1 only). Discharged July 2010
- 10/00339/DIS:** Application to discharge conditions 7,8 and 23 of planning approval 09/00095/FUL. Discharged June 2010
- 10/00608/NLA:** Neighbouring local authority application for construction of an access road onto the A49
- 10/00693/DIS:** Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ (further phase relating to more information on tree removal/tree retention in the high and medium risk remediation zones). Discharged September 2010

10/00940/DIS: Application to discharge conditions 7, 10, 12, 22 & 28 attached to planning approval 08/00910/OUTMAJ. Discharged December 2010

10/01061/DIS: Application to discharge condition 47 attached to planning approval 08/00910/OUTMAJ. Discharged January 2011-02-15

10/01062/DIS: Application to discharge condition 13 attached to planning approval 09/00095/FULMAJ. Discharged January 2011-02-15

11/00099/DIS: Application to discharge condition 14 attached to planning approval 09/00095/FULMAJ. (phase 2 of the tree removal/tree retention and amendments to Phase 1 previously approved as part of 10/00309/DIS and 10/00693/DIS). Pending consideration

Recommendation: Condition(s) discharged