

**Item 4g**                    **12/00510/OUTMAJ**

**Case Officer**            **Adele Hayes**

**Ward**                      **Chorley South East**

**Proposal**                 **Application to extend the time limit for implementation of extant outline planning permission 08/01044/OUTMAJ for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares)**

**Location**                 **Duxbury Park Myles Standish Way Chorley Lancashire**

**Applicant**                **United Utilities Property Solutions Ltd**

**Consultation expiry:** **4 July 2012**

**Application expiry:** **20 August 2012**

### **Proposal**

1. The application proposes the extension of the time limit for implementing an existing outline planning permission for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings approved under reference 08/01044/OUTMAJ and a copy of the previous report is attached for information.
2. In response to the widespread decline in the economic climate and sharp decline in development activity, the Government introduced a new procedure, whereby applications can be made to extend the life of an extant planning permission for a further period of time. This procedure only applies to planning permissions which were granted on or before 1 October 2009 and each permission can only be extended once.

### **Recommendation**

3. It is recommended that this application is granted conditional outline planning approval.

### **Main Issues**

4. The main issues for consideration in respect of this planning application are:
  - Guidance
  - Background of the development
  - Material considerations
  - Neighbour concerns
  - S106 Agreements

### **Representations**

5. 2 letters of have been received objecting to the proposal on the grounds that the land should be retained as public open space. In addition concerns have been received that the development of commercial buildings would result in a loss of privacy, a loss of trees and would have an adverse impact on wildlife. It is also stated that there are lots of office units empty in Chorley and in better suited areas than here.

## **Consultations**

6. **Lancashire County Council (Archaeology)** – no objections
7. **The Environment Agency** – no objections subject to conditions
8. **Lancashire County Council (Highways)** – no objections subject to the entrance to the site being surfaced to completion
9. **Lancashire County Council Ecology Service** - no comments received
10. **People & Places - Waste & Contaminated Land** - no comments received
11. **Parks & Public Open Space** - no comments received
12. **United Utilities** - no comments received
13. **Ramblers' Association (Chorley Branch)** - no comments received

## **Assessment**

### Guidance

14. Guidance issued by the Department of Communities and Local Government states that when determining applications for extensions to time limits the development will by definition have been judged to be acceptable in principle at an earlier date (in this case by permitting application 08/01044/OUTMAJ). While such applications must be decided in accordance with the plan, unless material considerations indicate otherwise, Local Planning Authorities should in making their decision focus their attention on development plan policies and other material considerations which may have changed significantly since the original grant of planning permission.

### Background of the development

15. Outline planning permission was granted on 23 December 2008 subject to a related Section 106 Agreement for a mixed use residential and commercial development. The majority of conditions attached to the outline allowed for phased development but there were four which required amendment in order to allow contamination and archaeology to be dealt with separately for the residential development.
16. A Section 73 application was therefore submitted and a Section 73 consent was granted on 11 January 2011. Arley Homes implemented the residential development on the site pursuant to this Section 73 consent.
17. The existence and implementation of the 2011 Section 73 consent does not affect the existence of the original outline consent and this remains extant and capable of implementation in relation to the employment element of the development.

### Material Considerations

18. This application is required to be determined in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, and in making a decision the Local Planning Authority is required to focus its attention on national and local planning policy or other material considerations which may have changed significantly since the original grant of permission. The original scheme was assessed against policies within the Chorley Local Plan which has now been superseded in part by the Central Lancashire Core Strategy (adopted

on 17 July 2012). In addition, the Government's National Planning Policy Framework has also recently been published. This has implications for the assessment of the proposal. The main issues for consideration are whether the principle of the proposed development remains acceptable, when assessed against Policies of the Core Strategy and National Planning Policy Framework, and whether there are any requirements imposed by conditions on the previous approval which require amendments.

19. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. The scheme involves a mixed use development on previously developed land within a sustainable location which is in accordance with the NPPF. In relation to the Core Strategy, the site is within Chorley Town where the focus of development is intended to be and provides for employment land and employment opportunities. The proposal is therefore consistent with the Core Strategy.

#### Neighbour concerns

20. Concerns have been raised about redeveloping the site and the fact that commercial buildings would result to a loss of residential amenity. The acceptability of the principle of the development has already been established through the granting of the outline consent. The final siting and relationship with existing buildings will be assessed as part of a reserved matters application.

#### Section 106 Agreement

21. The outline planning approval had an associated S106 Agreement which required the employment land to be marketed and this obligation has been met. In addition the obligations insofar as they related to the provision of affordable housing and provision of public open space were repeated in the supplemental agreement tied to the S73 application. It is therefore not necessary for a supplemental agreement to be tied to this application which is under consideration.

#### **Overall Conclusion**

22. The development involves the erection of a mixed use scheme which will facilitate the redevelopment of a brownfield site within a sustainable location. The proposals are in accordance with Government advice contained within the NPPF along with existing Planning Policy. It is not considered that there has been a material change in circumstances since the original grant of planning permission which would warrant refusal now.

#### **Planning Policies**

##### National Planning Policies:

National Planning Policy Framework

##### North West Regional Spatial Strategy:

Policies DP1, DP4, DP7, RDF1, L4, L5, RT9, EM1, EM5, EM15, EM16, EM17

##### Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS21, EM1, EM2, TR1, TR4, TR18

##### Joint Core Strategy

Policy 1: Locating Growth

Policy 2: Infrastructure

Policy 5: Housing Density

Policy 7: Affordable Housing  
Policy 17: Design of New Buildings  
Policy 22: Biodiversity and Geodiversity  
Policy 26: Crime and Community Safety  
Policy 27: Sustainable Resources and New Developments  
Policy 28: Renewable and Low Carbon Energy Schemes  
Policy 29: Water Management  
Policy 30: Air Quality

## Sites for Chorley- Issues and Options Preferred Option Paper September 2011

### EP1.4 Carr Lane (Vertex Site)

#### **Planning History**

- 08/01044/OUTMAJ - Outline application for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares). Approved 23 December 2008.
- 10/00004/DIS - Application to discharge condition 29 of planning approval 8/01044/OUTMAJ. Approved 27 January 2010.
- 10/00240/DIS - Application to discharge condition 14 of planning approval 8/01044/OUTMAJ. Approved 29 April 2010.
- 10/00888/OUTMAJ Application to vary conditions 11, 12 (ground remediation), 19 (surface water attenuation) and 21 (archaeology) of outline planning permission ref: 8/01044/OUTMAJ to enable the site to be developed in phases. Approved 11 January 2011.
- 10/00946/REMMAJ Reserved Matters application, pursuant to Section 73 planning permission 10/00888/OUTMAJ, proposing full details for the siting, layout, appearance and landscaping for a residential development comprising 135 dwellings at Duxbury Park, Myles Standish Way, Chorley. Approved 9 February 2011.
- 11/00190/DIS Application to discharge conditions 6, 8, 9, 12, 13, 14, 19, 21, 22, 24, 26, 27, 28, 29, & 30 attached to planning approval 10/00946/REMMAJ. Approved 17 May 2011
- 11/00263/FUL - Construction of a temporary junction and access road for use during the construction period. 23 May 2011.
- 11/00453/REMMAJ - Section 73 application to vary conditions 1 (approved plans), 4 (approved plans), 10 (finished floor levels in respect of plots 6-8, 80-89 and 126-134), 26 (carbon emissions) and 27 (code for sustainable homes) attached to planning approval 10/00946/REMMAJ. Approved 22 August 2011.
- 11/00947/DIS - Application to discharge conditions 5, 10 and 18 attached to planning approval 11/00453/REMMAJ. Approved 3 January 2012
- 11/01019/REMMAJ - Section 73 application to vary conditions 1 and 4 (approved plans) and 25 and 27 (plot references) attached to planning approval 11/00453/REMMAJ. Approved 2 April 2012.
- 12/00269/REMMAJ - Section 73 application to vary conditions 1 and 4 (approved plans) and 9 (finished floor levels), in respect of plots 58-68 and plot 75, attached to planning approval 11/01019/REMMAJ. Approved 7 August 2012.

## PREVIOUS REPORT

**2 neighbour letters have been received**

**Consultation expiry: 2 December 2008**

**Application expiry: 31 December 2008**

### Proposal

The application is an outline application for the redevelopment of the Former Vertex Training Centre, Little Carr Lane, Chorley. The proposal is outline in nature with all matters, apart from access, reserved. The proposal incorporates redevelopment for residential use, up to 200 dwellings, and 10,800 square metres of office (Use Class B1) use.

The indicative masterplan demonstrates that 200 residential units and 10,800 square metres of B1 floor space can be accommodated on the site. It is envisaged that this will be split between 80 four-bed units, 70 three-bed units and 50 two-bed dwellings. This will incorporate apartments, terraced, semi-detached and detached properties. 4,032 square metres of public open space will be provided on site including equipped play space.

The whole site is 7.2 hectares in area. Part of the site is allocated as employment land within the local plan and covers an area of approximately 3.4 hectares. The density of the housing element of the scheme for 200 new dwellings is approximately 42 dwellings per hectare.

### Summary

The proposal incorporates the redevelopment of a brownfield site and will enhance employment opportunities within the Borough. There are still outstanding issues in respect of Bats which the applicants are aware of and will be reported on the addendum. This notwithstanding however the proposal is considered to be acceptable

### Planning Policy

#### **National Polices:**

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

#### **North West Regional Spatial Strategy:**

**Policy DP1:** Spatial Principles

**Policy DP4:** Make the best use of Existing Resources and Infrastructure

**Policy DP7:** Promote Environmental Quality

**Policy RDF1:** Spatial Priorities

**Policy W1:** Strengthening the Regional Economy

**Policy W2:** Locations for Regionally Significant Employment Development

**Policy W3:** Supply of Employment Land

**Policy L4:** Regional Housing Provision

**Policy L5:** Affordable Housing

**Policy RT9:** Walking and Cycling

**Policy EM5:** Integrated Water Management

**Policy EM15:** A Framework for Sustainable Energy in the North West

**Policy EM16:** Energy Conservation and Efficiency

**Policy EM17:** Renewable Energy

**Adopted Chorley Borough Local Plan Review:**

**GN1:** Settlement Policy- Main Settlements

**GN5:** Building Design and Retaining Existing Landscape Features and Natural Habitats

**GN9:** Transport Accessibility

**EP4:** Species Protection

**EP9:** Trees and Woodland

**EP17:** Water Resources and Quality

**EP18:** Surface Water Run Off

**HS4:** Design and Layout of Residential Developments

**HS5:** Affordable Housing

**HS6:** Housing Windfall Sites

**HS21:** Playing Space Requirements

**EM1:** Employment Land Allocations

**EM2:** Development Criteria for Industrial/ Business Development

**TR1:** Major Development- Tests for Accessibility and Sustainability

**TR4:** Highway Development Control Criteria

**TR18:** Provision for pedestrians and cyclists in new developments

Sustainable Resources Development Plan Document

Statement of Community Involvement

**Planning History**

The existing training centre on site was opened in 1974 and is now an outdated facility. The building became underused a number of years ago. The training function was moved out of the facility and the centre closed in

2002. A subsequent attempt was made to reopen the centre as a conference centre initially for three years however the centre operated at a loss and was closed in 2006.

**95/00050/FUL-** Construction of new car park for 62 cars, including landscaping. Approved March 1995.

**96/00645/FUL-** Siting of one portacabin unit for temporary office accommodation. Approved October 1996

**97/00025/FUL-** Single-storey side extension to administration offices. Approved March 1997

**97/00161/FUL-** Provision of open canopy to road training area. Approved May 1997

**98/00375/FUL-** Siting of electricity transmission tower for training purposes only (not connected to electricity transmission/distribution network). Approved October 1998

**98/00415/FUL-** Single storey infill extension. Approved July 1998

**98/00690/FUL-** Continuation of planning permission 9/96/00645 to allow the use of one portacabin unit for temporary office accommodation for a further 2 years. Approved November 1998

**98/00813/FUL-** Erection of communications building on land adjacent Red Bank Mission. Approved January 1999

**98/00842/FUL-** Siting of portacabin for a temporary period of five years. Approved January 1999

**00/00856/FUL-** Extension of previous permission (9/96/00645/FUL) to continue use of one portacabin unit for temporary office accommodation for a further 12 months. Approved December 2000

**06/00850/CB3-** Creation of an access junction off the proposed Eaves Green Link Road (site area 0.31ha). Approved November 2006

### **Applicant's Case**

The following points have been forwarded in support of the case:

- The scheme has been developed in close liaison with the Borough Council at pre-application stage
- Extensive community consultation has also been undertaken
- The application proposes to redevelop a brownfield site which is currently redundant and underused
- Presently the site makes no positive contribution to the character and appearance of the area.
- The development will provide on-site affordable housing and approximately 500 job opportunities.

**Representations** 1 letter has been received raising concerns in respect of tree removal and the location of industrial units to the rear of the dwellings although they are aware that siting will be dealt with at reserved matters stage.

1 letter has been received objecting to parts of the application as follows:

- Concerned about where the access will terminate at Little Carr Lane as it is in front of her house
- Adequate safe play areas are required as part of the development- the area to the north of the site is very small
- Concerned about drainage on the site.

**Consultations** **The Council's Conservation Officer** has no comments to make.

**The Council's Urban Design Manager** has made comments on the design and layout of the scheme. As this is an outline application issues relating to design and siting will be dealt with at reserved matters stage.

**Corporate Director (Neighbourhoods)** has no objections to the proposed development provided that the proposed remedial measures and any further investigation works as necessary are carried out in accordance with the recommendations made in the reports.

**Lancashire County Council (Ecology)** have commented on the scheme and require a method statement, for approval prior to determination of the application, detailing how detrimental impacts on the conservation status of the bat population will be avoided during and after the development

**Lancashire County Council (Strategic Planning)** considers that the scheme conforms with the NW Regional Spatial Strategy

**United Utilities** has no objections subject to various conditions/informatives.

**Ramblers Association** have suggested an alternative route of the diverted footpath which they consider to be more appropriate.

**The Council's Parks and Open Spaces Officer** has raised concerns with natural surveillance of the equipped play area but does consider that the site has a good proportion of Public Open Space.

**Chorley Landscape Assistant** has no objections to the proposal.

**Lancashire County Council (Highways)** has no objections to the proposal and confirms that the road and junctions has adequate capacity as they were designed to accommodate development. Concerns have been raised with the illustrative internal arrangements. The layout would need completely revising to meet the needs and design requirements of the site

**The Environment Agency** has no objections to the scheme subject to various conditions/informatives

**Natural England** have concerns about the impact of the proposal on bats.



**Lancashire Fire and Rescue Service** have suggested the installation of residential sprinkler systems

**Lancashire County Council (Archaeology)** have recommended an archaeological survey condition due to the possibility of the remains of collieries and buildings on the site

**Planning Policy** have made the following comments:

- That B1 office element of the development is contrary to National and Regional Planning Policy because since the adoption of the Local Plan more recent Planning Policy, National Planning Policy Statement 6 (PPS6) and the adopted Regional Spatial Strategy (RSS), has been adopted. Both of these documents direct office uses to town centre locations
- This site is a brownfield site within the defined Chorley town settlement and as such housing development is acceptable in principle
- The application proposes 20% affordable housing on site, which accords with Policy HS5 in the Local Plan Review and National Planning Policy in Planning Policy Statement 3.

## **Assessment**

### **Principle of the development**

Part of the site is previously developed, brownfield land and is occupied by the former Vertex Training Centre. The built development is located on a central position on the site. The land to the east and west of the built development is previously undeveloped land however the whole site forms part of the curtilage of the site. Additionally the site is located within the defined settlement within the Local Plan.

In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land. As such the principle of redeveloping the site for accords with Government guidance.

### **Employment Land**

The eastern section of the site is allocated as employment land within the Local Plan. As such in accordance with Policy EM1 this part of the site is identified as suitable for business, general industrial or storage and distribution (Use Classes B1, B2 and B8). Additionally financial and professional services (Use Class A2) are identified as being appropriate in this location.

The proposed employment part of the scheme does not, however, fully accord with the employment land allocation. It was determined during pre-application discussions that it would be more appropriate to locate the employment uses along Myles Standish Way to give greater prominence to employment uses on Myles Standish Way and to reduce the impact of the employment development on the adjacent residential properties. The size of

the employment site has not been reduced, however, when compared to the employment allocation.

The employment proposed as part of this scheme is proposed to be wholly B1 Office accommodation comprising of small to medium sized units with a maximum floor space of 10,800 square metres. B1 Office accommodation is identified as an appropriate use within the Policy EM1 allocation however since the adoption of the Local Plan more recent Planning Policy, National Planning Policy Statement 6 (PPS6) and the adopted Regional Spatial Strategy (RSS), has been adopted. Both of these documents direct office uses to town centre locations. Policy W3 of the RSS states that office development should, as far as possible, be focused in the regional centres, in or adjacent to town/city centres listed in Policy RDF1 and in Key Service Centres (such as Chorley Town), consistent with Policy RDF2 and the sequential approach to the location of development in PPS6.

The allocation under Policy EM1 clearly does not conform with more recent National and Regional Policy however it is a saved Policy and as such is still a material planning consideration. The Policy identifies B1 office use as appropriate. The submission of this planning application follows extensive pre-application discussions with the Council. Small/ starter B1 office units have been identified as lacking in the Borough and the applicants were advised that B1 office units would be appropriate in this location.

Additionally the allocated housing site to the north of the application site originally formed part of the whole site and was sold to Persimmon Homes after outline planning permission had been granted (04/01457/OUTMAJ) for residential redevelopment. This development is well commenced on site. At the time of the outline planning application United Utilities entered into a Section 106 Agreement which Chorley BC which obliged United Utilities to, among other obligations, market the allocated employment land for B1, B2, B8 and A2 uses. Chorley Council entered into this agreement with United Utilities in October 2005 and the obligation related directly to the opening of the Eaves Green Link Road, now known as Myles Standish Way.

The obligation required a 6-month marketing exercise however, although this hasn't been undertaken, this exercise may have resulted in no employment interest in the site. If this occurred other uses, including residential development, would have had to be considered for the allocated employment site. This development ensures employment uses will be accommodated on this allocated employment site to the benefit of the local economy.

Although current National and Regional Planning Policy would prefer to direct office accommodation to town centre locations in this situation, taking into account the Policy EM1 allocation, the fact that the legal agreement identified B1 Uses as appropriate uses to market the site for and the fact that there are no identified town centre locations, ensures that employment accommodation will be achieved in the Borough and is appropriate in this location.

Lancashire County Council consider that due to the location of the site, the fact that the site is well serviced by sustainable transport and is allocated

within the Local Plan then this element of the scheme is in conformity with the RSS.

Two office buildings will form the 'gateway' to the development as they will front Myles Standish Way and the access junction into the site. The addendum to the Design and Access Statement encourages exceptional design solutions for these buildings to create a 'gateway'.

Concerns have been raised that due to the current market the employment uses will not be delivered whereas the residential units will be leaving a vacant piece of land. The applicants have confirmed that due to the size of the site and two differing types of development it is likely that the site will be split into parcels and 2/3 different developers will develop the site. To ensure the employment uses will be delivered current discussions in respect of the Section 106 Agreement are based around phasing the development so the construction of a proportion of the residential development will require the construction of a proportion of the employment development.

Additionally details of the structure planting will be required prior to the commencement of the development which will require planting/ landscaping along the main access route into the site at an early stage.

### **Housing Development**

The proposed development incorporates a mixed use scheme with an element of employment use, set out above, and an element of residential redevelopment. The site is located within the settlement boundary and is allocated under Policy GN1 of the Adopted Local Plan. As such the principle of redeveloping the site for residential purposes is considered to be acceptable.

The residential units will be sited to the north and west of the site. The west of the site rises upward to the woodland located at the western boundary of the site. Locating the residential properties in this location takes into account the natural topography of the site and will afford views to the east.

Following receipt of the comments from the Urban Design Manager the indicative layout has been amended and an addendum to the Design and Access Statement has been submitted. To take into account the topography of the site the addendum letter encourages future developers to consider split level houses. The apartment building to the north of the site has been relocated forward to continue the adjacent building line and the parking has been repositioned to a more discrete location. The addendum to the Design and Access Statement encourages dual aspect housing and consideration of detailed boundary treatments will be dealt with at reserved matters stage.

Although the application is outline with all matters reserved an indicative Masterplan has been submitted which demonstrates that 200 new dwelling units can be accommodated on the site. This will be split between 80 four bed units, 70 three bed units and 50 two bed units. This will include terraced, semi-detached and detached dwellinghouses and apartments. The dwellinghouses will range in height between two and two and a half storeys; the apartments will range in height between 3 and 4 storey.

Although the submitted layout plan is indicative the plan seeks to demonstrate that the site can be developed as proposed without adversely impacting on the neighbours' amenities. The immediate residential neighbours to the site are located to the north of the site along Carr Lane and Little Carr Lane, the new Persimmon development, Duxbury Gardens, is also located to the north of the site. To the west of the site are the residential properties on The Bowers.

The submitted parameters plan details that along the northern boundary of the site with Carr Lane and Little Carr Lane all of the proposed dwellings will be a maximum of 2 stories high. The existing dwellings are located in close proximity to the site boundary and are at a slightly lower land level than the application site. However the illustrative masterplan illustrates that the required 21 metre window to window distance can easily be achieved with the spacing of the properties exceeding this distance. Where properties are located closer than 21 metres to the rear of the existing dwellings the masterplan illustrates that the proposed dwellings will be orientated to ensure a blank gable wall faces the existing property and more than the required 12 metres spacing distance is retained.

Along the boundary with Duxbury Gardens a three storey apartment block, 2 storey dwellinghouses and 2 storey office buildings are proposed. Duxbury Gardens consists of three storey dwellings and as such the siting of a three storey apartment block close to this boundary is not considered to be out of keeping with the character of the area. Additionally over 27 metres separation distance can be achieved between the proposed apartments and the existing dwellings which will ensure there is no loss of amenity for the future or existing residents. The closest office building is indicated to be approximately 14 metres from the rear of the existing properties however in this situation the gable end of the office building will face the dwellinghouse with no side windows.

The Biological Heritage Site and dense vegetation is located along the boundary of the site adjacent to the properties on The Bowers. Due to the presence of this landscape strip and the fact that the majority of the BHS falls outside the application site ensures that this landscaping will be retained and screens the proposed development from the properties on The Bowers.

It is considered that the development can be achieved whilst maintaining adequate spacing distances and ensuring the amenities of the existing and future residents are maintained.

In accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan and 20% on site affordable housing will be required as part of the development. This obligation will form part of the Section 106 Agreement associated with the development and the 20% provision will be split between 70% rented affordable units and 30% shared ownership affordable units. This split is based on local need in the area.

It is considered that as the proposed housing forms a key element within a mixed use regeneration project and will meet district targets in terms of providing affordable housing. As such redeveloping the scheme for housing is considered to be appropriate.

## **Open Space**

The proposal incorporates elements of Public Open Space within the site. A total of 4,032 square metres of Public Open Space will be provided within the site which includes 1,308 square metres of Equipped Play Space. These areas will be provided by the developers and passed over to the Council for adoption and maintenance. This provision will be secured by the associated legal agreement.

The indicative masterplan details three areas of public open space to the north of the site adjacent to the properties on Little Carr Lane, in a central location on the site and to the south of the site close to Myles Standish Way. The equipped play area will form part of the open space proposed to the south of the site.

A Public Realm Plan forms part of the submission which indicates which elevations of the dwellings and B1 office units should incorporate habitable room windows and office windows to promote informal supervision of streets, public open space and paths.

Additionally in accordance with Policy HS21 of the Adopted Local Plan provision of playing fields is required due to the size of the proposed residential development. This provision will form part of the Section 106 Agreement and will be provided off site.

## **Trees and Landscape**

The site incorporates areas of trees and vegetation some of which will be retained as part of the development and some of which will be removed. An Arboricultural Survey has been submitted with the application which includes details of all the trees on site which formed part of the Tree Survey.

The report identifies which trees are worthy of retention and which are not worthy of retention. The trees on site are generally in a good condition. 24 trees/ groups have been recommended for removal for Arboricultural reasons as they are considered unsafe and because their removal will benefit adjacent trees. 93 trees/ groups have been recommended for removal because they are either within the development footprint or too close to the proposed development to be practically protected during construction. The majority of the trees to be removed to accommodate the development are identified as category 'C' trees within the survey which have a low amenity value. 14 of the 33 Category 'B' trees are proposed to be felled however as part of the landscaping of the whole site replacement trees will be planted to mitigate for the loss of the existing trees.

The trees which have the highest amenity value are located within the woodland along the western boundary of the site. This area is also designated as a Biological Heritage site. None of these trees will be affected by the development. These trees are also protected by Tree Preservation Order 9 (Chorley) 1995.

The Council's Arboricultural Officer will review the submitted report and his comments will be reported on the addendum.

## **Ecology**

As there are existing buildings and trees on site the proposed redevelopment has the potential to impact on protected species. An Ecological Assessment of the site has been undertaken which has been assessed by Lancashire County Council's Ecologist.

The proposal could have possible impacts on the Biological Heritage site, bats and nesting birds, as well as the fragmentation/isolation of habitats. There is also the possibility that giant hogweed will be spread.

The Ecological Assessment concludes that there are no Great Crested Newts on the site and as such there will be no impact on Great Crested Newts. Bats roosts are present on the site and as such a method statement for approval prior to determination of the application, detailing how detrimental impacts on the conservation status of the bat population will be avoided during and after the development will be required.

Appropriate conditions can be attached to ensure the proposal does not adversely impact on breeding birds and eradication of evasive plant species on the site can be dealt with by condition. The area of woodland to the west of the site is designated as Biological Heritage Site (Duxbury Woods Biological Heritage Site (BHS 51NE13)). The Ecologist at LCC has confirmed that Duxbury Woods has been damaged (loss of extent and fragmentation) by earlier developments. As such it is important to ensure that the remaining areas are adequately protected from further damage. To ensure the Biological Heritage site is not affected by the development appropriate planning conditions will be attached to the recommendation.

## **Flood Risk**

Part of the site falls within a Flood Risk Zone 2 and 3. As such Flood Risk Assessments have been submitted as part of the application. The assessment concludes that there is a low flood risk from the River Yarrow and the proposal is acceptable from a flood risk perspective.

United Utilities have assessed the Flood Risk Assessments and have confirmed that the flood risk assessment and proposed drainage details are acceptable to United Utilities in principle, subject to amendments to the sewer in the area. The Environment Agency are also satisfied with the findings of the Flood Risk Assessment

## **Traffic and Transport**

The proposal incorporates the redevelopment of the site for employment and residential uses. The site has previously been used for a number of purposes including a training centre which, when it was fully operational, would have attracted a significant number of traffic movements. Additionally the site accommodates large parking areas for the existing facility. The current vehicle access to the site is via Little Carr Lane which is a residential street however the proposal intends to incorporate vehicle access off the new Eaves Green Link Road, Myles Standish Way, with only emergency and

pedestrian/ cycle access achieved through the current Little Carr Lane access.

It is possible that the proposed development will generate more traffic than the existing use and as such a Traffic Assessment has been undertaken and forms part of the planning application.

The assessment concludes that the Eaves Green Link Road has been designed to accommodate significant traffic flows and the junction into the application site, which has already been constructed, will be able to operate well within capacity and will not result in queuing during peak hours. Additionally the closure of the Little Carr Lane entrance and removal of traffic generated by the Conference Centre would have environmental and safety benefits to the existing residential areas.

The site is located close to existing bus stops and a contribution will be provided, which will be secured as part of the Section 106 Agreement, to Sustainable Transport Improvements which will include improvements to the local bus service and the provision of a bus stop close to the site.

The Little Carr Lane access will be available for emergency access and will be managed with appropriate measures, such as drop down bollards, to ensure the access is not utilised by general traffic.

There is an existing public right of way which goes through the site. The route will not follow the existing route but will be diverted through the development. The indicative masterplan indicated that the proposed diversion route will run from Little Carr Lane through the emergency access point and along the main access road of the site to Myles Standish Way. The Ramblers have an alternative suggestion which follows the original route more closely. The Public Right of Way diversion has not yet been finalised and will be agreed with the Public Rights of Way Officer at Lancashire County Council.

A dedicated cycle route will also be provided through the site linking Little Carr Lane with Myles Standish Way along with additional pedestrian links, in addition to the public right of way.

The S106 contribution will also improve pedestrian links between the Development and the bus stop and contribute to the provision of safe cycling facilities. As such the development will enable other transport choices rather than the car in accordance with the Government's sustainability principles.

The Highways Engineer at Lancashire County Council has reviewed the Transport Assessment and the proposal and considers that the junction and access road have sufficient capacity for the development. Concerns have been raised in respect of the internal road layout however this is indicative at this stage and will be fully developed at reserved matters stage.

### **Public Consultation**

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting the formal application. This included a public

exhibition where neighbours were asked to comment on the proposed scheme.

Following the exhibition the applicants reviewed their scheme in light of the comments received from the residents. Following receipt of the comments the scheme has been amended to accommodate some of the concerns, not all of the concerns have been addressed however the following changes were made. The public house and hotel were removed from the scheme, industrial uses will not be incorporated as part of the development, the layout of the properties along the northern boundary has been revised along with introducing an area of open space to the northern boundary to increase separation distances, affordable housing will be provided as part of the scheme, the heights of the houses in the north west corner of the site have been reduced to 2 storey, the easements and alignment of the electricity cables has been investigated and positions reflected in the revised scheme and mature planting will be retained with replacement planting proposed for the trees lost.

In addition to the exhibition updates have been provided to a ward councillor and residents and a formal presentation was given to Development Control Committee on 16 September 2008.

It is considered that the community involvement undertaken is in accordance with the Council's Statement of Community Involvement. Additionally this involvement resulted in changes which are reflected in the submitted application.

### **Sustainability**

Following the adoption of the first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), the new style Local Plan, September 2008 a sustainability statement has been submitted as part of the planning application. This document covers climate change, energy, place making, community involvement, transport, ecology, resources, business and buildings.

This is an outline application with all matters reserved except for means of access. As such measures to achieve the required 10% reduction in energy consumption are speculative at this stage. Comments have been made that building orientation can make a big difference to energy efficiency and the ability to implement micro-generation. Sustainable Urban Drainage Systems should be included within the site. Additionally there could also be potential for a small wind turbine on site, or utilisation of ground source heat within the road layout.

To ensure that the future reserved matters applications accord with Policy SR1 of the Sustainable Resources DPD appropriately worded conditions will be attached to the recommendation in respect of reducing energy consumption.



## **Local Facilities**

Lancashire County Council (Education) consider that there is sufficient capacity within the nearby primary and secondary schools for the new development.

## **Contamination and Coal Mines**

Due to nature of the type of training that took place on site for both water and electricity industries there may be issues with contaminated land in some parts of the site. In addition to this there are thought to be mine shafts across the site. As such a preliminary risk assessment and mine shaft assessment have been submitted as part of the application.

The reports suggest further work which is required in respect of contaminates, gas and coal mine shafts on site. The Council's Environmental Services Section and the Environment Agency have reviewed the documents and no objection is raised on the proviso that the proposed remedial measures and further investigation works are carried out in accordance with the report recommendations. This will be dealt with by suitably worded conditions.

**Conclusion** As demonstrated above the scheme is considered to be acceptable. The impact on bats is still outstanding which the applicants are aware of and will be reported on the addendum. The proposal will ensure the redevelopment of a brownfield site, will contribute to the Borough's affordable housing targets and include further employment opportunities within the Borough.

**Recommendation** **Permit Outline Planning Permission (subject to S106 Agreement)**  
**Refuse if S106 Agreement is not signed by 23 December 2008**

**Recommendation: Permit Outline Planning Permission  
Conditions**

- 1. Any application for approval of reserved matters must be made to the Council not later than four years from the date of this decision. The development shall be begun within two years of the date of approval of the last of the reserved matters or within six years of the date of this decision whichever is the later.**  
*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*
- 2. Before any phase of the development hereby permitted is first commenced, full details of all reserved matters relating to that phase (namely the siting, design, external appearance of the buildings, and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.**  
*Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.*
- 3. At the time of submission of the first set of details for development of the residential parcel, pursuant to Condition 2 above, a Statement of Overall Landscape Strategy for the residential parcel shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a landscaping/habitat creation and management plan and shall include details of structure planting on the site's**

peripheral areas and adjacent to the primary roads, footpaths and cycle ways within the site. The details shall also include the treatment of the boundaries of the site with the existing residential dwellings along Carr Lane/ Little Carr Lane to ensure the existing residential amenities are protected.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

4. At the time of submission of the first set of details for development of the employment parcel, pursuant to Condition 2 above, a Statement of Overall Landscape Strategy for the employment parcel shall be submitted to and approved in writing by the Local Planning Authority. The details shall include a landscaping/habitat creation and management plan and shall include details of structure planting on the site's peripheral areas and adjacent to the primary roads, footpaths and cycle ways within the site.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

5. Within one year of or within the first planting and seeding season following the completion of the access junction (whichever is the sooner) the structure planting along the access road and boundary of the site with Myles Standish Way shall be completed in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

6. Before any phase of the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected for that phase (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building/ dwelling for that phase shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review.*

7. Samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) for each phase shall be submitted to and agreed in writing prior to the commencement of that phase of development. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review.*

8. Full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) for each phase shall be submitted to and agreed in writing prior to the commencement of that phase of development. The development shall only be carried out using the approved external facing materials. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

9. A scheme of landscaping for each phase shall be submitted and agreed in writing prior to the commencement of that phase of development. The scheme shall indicate

the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped, detail any changes of ground level and shall be in accordance with the approved landscape strategy pursuant to conditions four and five. Landscaping and restoration schemes should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

*Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.*

10. All planting, seeding or turfing comprising approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of any buildings within each phase of development and any trees or plants which within a period of five years from the completion of the development phase die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other of similar size and species, unless the Local Planning Authority gives written consent to any variation.

*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*

11. Prior to the commencement of the development hereby permitted in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) the proposed remedial measures and further investigation works for that zone shall be carried out in accordance with the recommendations set out in the submitted Preliminary Risk Assessment (Phase 1 Desk Study) by Leyland Kirby Associates dated 9 June 2008, the Ground Investigation and Risk Assessment (Ref CL1301 and CL1302) dated 11 August 2008 and Investigation of Mine Shafts dated 25<sup>th</sup> July 2008.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.*

12. Prior to the commencement of the development hereby permitted in the commercial zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) the proposed remedial measures and further investigation works for that zone shall be carried out in accordance with the recommendations set out in the submitted Preliminary Risk Assessment (Phase 1 Desk Study) by Leyland Kirby Associates dated 9 June 2008, the Ground Investigation and Risk Assessment (Ref CL1301 and CL1302) dated 11 August 2008 and Investigation of Mine Shafts dated 25 July 2008.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.*

13. Upon completion of the remediation works for each phase ((as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) a validation report for that phase containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.*

14. Prior to the commencement of the development hereby permitted a method statement, setting out proposals for the protection of the Biological Heritage Site during construction, shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved methods.

*Reasons: In the interests of the continued protection of the Biological Heritage Site. In accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.*

15. Giant hogweed (*Heracleum mantegazzianum*) is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is illegal to cause the spread of Giant hogweed (*Heracleum mantegazzianum*). Following an inspection of the

site in May 2009 confirmation, in writing to the Local Planning Authority, will be required that Giant hogweed has been eradicated. In the event that the species has not been eradicated a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority. The programme shall accord with Environment Agency Guidelines. The development thereafter shall be carried out in accordance with the approved details.

*Reason: To ensure the eradication of Giant hogweed (Heracleum mantegazzianum) in accordance with the Wildlife and Countryside Act 1981 (as amended).*

16. Each application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot by means of low carbon sources. Details shall be submitted for on-site measures to be implemented including rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In line with the objectives of the National Planning Policy Framework, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.*

17. The applications for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes for Sustainable Homes. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In line with the objectives of the National Planning Policy Framework, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.*

18. Each application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels of the dwellings and the B1 units (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved level details.

*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5, EM2 and HS4 of the Adopted Chorley Borough Local Plan Review.*

19. The access link from Little Carr Lane shall cease to be used 3 months following the commencement of development and prior to the commencement of the residential development unless otherwise agreed in writing with the Local Planning Authority. Full details of the measures to be implemented to prevent vehicular access except in emergencies shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of proposed signage, details of the

pedestrian/cycle route and samples of the proposed hard surfacing materials. The development thereafter shall be carried out in accordance with the approved scheme.  
*Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*

20. No development approved by this permission shall be commenced in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a strategy to attenuate surface discharges from that zone of the development to existing 'greenfield rates' has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.  
*Reason: To reduce the risk of flooding at the site.*
22. No development approved by this permission shall be commenced in the commercial zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a strategy to attenuate surface discharges from that zone of the development to existing 'greenfield rates' has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.  
*Reason: To reduce the risk of flooding at the site.*
23. Each reserved matters application shall include full details of the trees to be felled on that phase of the development and shall include full details (including species, number, stature and location) of the replacement tree planting. The replacement tree planting shall thereafter be carried out in accordance with the approved details.  
*Reason: To safeguard the visual amenity of the area and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*
24. No development shall take place in the residential zone (as identified on the LK Consult Limited Plan Figure 1 drawn August 2010) until a programme of archaeological work has been implemented for that zone in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.  
*Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.*
25. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*
26. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.  
*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.*
27. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and

obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use.*

28. No dwelling/ B1 unit hereby permitted shall be occupied until the highway alterations to the site access with Myles Standish Way, to include access roads into the two employment areas located to the east and west of the access junction, as set out on plan reference B3141 P017A, dated 21st November 2008, or any other such works which have been submitted to and approved in writing by the Local Planning Authority, have been completed to the satisfaction of the Local Planning Authority.  
*Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*
29. No dwelling/ B1 unit hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority.  
*Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*
30. The outline planning permission hereby approved relates to the erection of up to 200 residential units and up to 10,800 square metres of B1 floor space. The applications for reserved matters shall not exceed 200 residential units and 10,800 square metres of B1 floor space.  
*Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area. In accordance with Policy EM2 of the Adopted Chorley Borough Local Plan Review.*
31. The employment units hereby approved shall be used for B1 uses and for no other purpose (including any other purpose in Class B of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order.  
*Reason: To protect the amenities of local residents and in accordance with Policy Nos EM2 of the Adopted Chorley Borough Local Plan Review.*
31. Prior to demolition of the buildings on the site, the developer shall undertake further detailed bat surveys of the existing buildings to establish whether or not any bat species are present. Where bat species or their habitat are found to be present, a mitigation report shall be prepared and submitted to the Local Planning Authority, in accordance with the recommendations of the UES Ecological Assessment submitted with this application. No development or site clearance shall take place until the Local Planning Authority has agreed the mitigation measures in writing, and these measures shall then be implemented in accordance with that agreement.  
*Reason: To protect the interests of any bat species which may be present on the site and in accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.*
32. Prior to the commencement of the residential parcel full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents' consultation plan shall be implemented and completed in accordance with the approved procedure.

***Reason: To ensure that the existing residents are fully aware of the progress of the development.***

33. Prior to the commencement of the employment parcel full details of the proposed residents consultation procedure shall be submitted to and approved in writing by the Local Planning Authority. The details shall include information on how the residents will be kept informed on the progress of the development prior to commencement and during the development period. Additionally details of the main contact / site manager during the development shall be provided to the Local Planning Authority and the residents prior to the commencement of the development. The residents' consultation plan shall be implemented and completed in accordance with the approved procedure.  
***Reason: To ensure that the existing residents are fully aware of the progress of the development.***

34. This consent relates to the following plans:

Plan Ref.	Received On:	Title:
B3141 P000E	1 October 2008	Location Plan
B3141 P008E	17 November 2008	Proposed Indicative Colour Masterplan
B3141 PO11D	21 November 2008	Proposed Indicative Colour Landscape Structure Plan
B3141 P010D	21 November 2008	Proposed Colour Parameter Plan
B3141 P001B	1 October 2008	Existing Site Plan
A0 071123/005	1 October 2008	Topographical Survey (5 of 5)
A0 071123/004	1 October 2008	Topographical Survey (4 of 5)
A0 071123/003	1 October 2008	Topographical Survey (3 of 5)
A0 071123/002	1 October 2008	Topographical Survey (2 of 5)
A0 071123/001	1 October 2008	Topographical Survey (1 of 5)
N71264-004A	1 October 2008	Proposed Access Road Stub
B3141 P014A	1 October 2008	Proposed Site Sections (A, B, C, D, E)
B3141 P015A	1 October 2008	Proposed Site Sections (F, G, H, J)
P3141 P009	17 November 2008	Proposed Public Realm Plan
B3141 P017A	21 November 2008	Proposed Phase 1 Infrastructure Plan

***Reason: To define the permission and in the interests of the proper development of the site.***

**PLEASE NOTE comments from United Utilities:**

- a) Surface water should discharge to the watercourse/soakaway/surface water sewer and may require the consent of the Environment Agency.
- b) If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.
- c) There are a number of sewer lengths that exceed a velocity of 4m/s and therefore United Utilities would insist upon suitable amendments being made prior to authorizing any full acceptance
- d) The applicant must discuss full details of the site drainage proposals with John Lunt contact Number 01925 537174.
- ☐ There is a sewer that crosses the site but this has been protected by an 8m easement either side.
- e) Our water mains may need extending to serve any development on this site. The applicant, who may be required to pay a capital contribution, will need to sign an Agreement under Sections 41, 42 & 43 of the Water Industry Act 1991.
- f) A separate metered supply to each unit will be required at the applicant's expense and all internal pipework must comply with current water supply (water fittings) regulations 1999

- g) The applicant should contact our Water Fittings Section at Warrington North WwTW, Gatewarth Industrial Estate, off Liverpool Road, Sankey Bridges, Warrington, WA5 2DS.**
- h) The site of the proposed development should be carefully checked to ascertain if any sewers/ drains/ water mains cross the area. If any such pipes exist these may require diversion or protection before the development commences.**
- i) United Utilities offers a fully supported mapping service at a modest cost for our electricity, water mains and sewerage assets. This is a service, which is constantly updated by our Map Services Team (Tel No: 0870 7510101) and I recommend that the applicant give early consideration in project design as it is better value than traditional methods of data gathering. It is, however, the applicant's responsibility to demonstrate the exact relationship on site between any assets that may cross the site and any proposed development.**

**Please Note: You are informed that the responsibility for safe development and secure occupancy of the site rests with the developer. The Local Planning Authority has determined the application on the basis of the information submitted, but this does not mean that the site is free from contamination.**

**Please note: Your attention is drawn to the existence of a separate legal agreement under Section 106 of the Town and Country Planning Act 1990 which relates to the use or development of the land to which this permission relates.**

**Please note: Your attention is drawn to the importance of 'Preventing Crime by Design'. Advice on aspects of security is available from the Crime Prevention Officer at Chorley Police Station, Chorley (01257) 269021. The Lancashire Constabulary also operate a 'Secured by Design' initiative. Details of the scheme and how house builders may seek approval under it may be obtained from the Community Affairs Department, Police HQ, P.O. Box 77, Hutton, Preston, Lancashire, PR4 5FB. (Telephone: 01772 614444).**

**Please note: The grant of planning permission does not entitle a developer to obstruct a right of way and any proposed stopping up or diversion of a right of way should be the subject of an Order under the appropriate Act. Footpath/Bridleway No. 41 crosses the site.**

**Please note: It is recommended that in order to avoid disturbance of breeding birds development should be carried out in accordance with the recommendations set out within Paragraph 5.3 of the submitted Ecological Assessment dated 24<sup>th</sup> September 2008.**

**Please note: The following comments from the Environment Agency:**

- j) Support for the Sustainable Urban Drainage Systems approach to managing surface water run-off**
- k) The developer should consider the following as part of the scheme:**
  - Water management in the development, including, dealing with grey waters**
  - Use of sustainable forms of construction including recycling of materials**
  - Energy efficient buildings**
  - Prior to being discharged into any watercourse or surface water sewer, all surface water drainage from parking areas in excess of 100 spaces and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.**
  - For Parking Areas of less than 100 spaces, prior to being discharged into any watercourse or surface water sewer, all surface water drainage shall be passed through trapped gullies with an overall capacity compatible with the site being drained.**

**PLEASE NOTE the following comments from Lancashire Fire and Rescue Service:**



- 1) **It is recommended that the installation of domestic/ residential sprinkler systems in the proposed premises.**