

Item 4a 12/00741/OUTMAJ

Case Officer Hannah Roper

Ward Adlington & Anderton

Proposal Outline application for residential development of up to 170 dwellings, demolition of 74 and 76 Bolton Road, formation of new access, landscaping, open space, highways and associated works.

Location Land Surrounding Huyton Terrace Previously Baly Place Farm Bolton Road Adlington Lancashire

Applicant Fox Strategic Land & Property

Consultation expiry: 5 October 2012

Application expiry: 25 October 2012

RECOMMENDATION

The agenda for this meeting indicated an initial recommendation of approval on this application. This recommendation was subject to agreement and inclusion of a number of elements within the legal agreement and that conditions should be attached to any planning permission to overcome any harm identified. The conditions must also be assessed in relation to the tests for planning conditions.

There are matters associated with the legal agreement that remain unresolved at the time of release of the report and there is uncertainty over the imposition of conditions as the principle of those conditions has not been agreed. The applicant has not agreed to extend the time limit for determination past the 30 October 2012 Committee and have verbally indicated an intention to appeal against non-determination if the application is not placed on the agenda.

The final outcome of requests for contributions and the potential for conditions to be imposed will be reported in the addendum and the officer recommendation will be presented at the time based on the information included on the addendum.

For the purposes of this report the National Planning Policy Framework (NPPF) is referred to as the Framework.

Proposal

1. The application is described as:
Outline planning application for residential development of up to 170 dwellings, demolition of 74 and 76 Bolton Road and formation of new access, landscaping, open space, highways and associated works.
2. The site is 7.3 hectares and is located to the south of Adlington outside of the defined settlement boundary. The site is characterised by trees and hedgerows within and around the perimeter of the site which delineate the existing field boundaries.
3. Within Circular 01/2006 Guidance on Changes to the Development Control System Section 2: Outline Planning Permission and Reserved Matters, it states that a minimum amount of information is required to

be submitted with outline planning applications. This proposal is accompanied by an illustrative Masterplan and Design and Access Statement showing how the development might be accommodated on the site. The proposal includes for the following:

- ☐ Up to 170 dwellings including 30% affordable units;
- ☐ Demolition of number 74 and number 76 Bolton Road, Adlington to form vehicular access
- ☐ Retained trees and vegetation within green corridors
- ☐ New pedestrian and cycle links within new green corridors
- ☐ Flood plain retention and enhancement of natural habitat
- ☐ On site sustainable urban drainage ponds
- ☐ Integration of existing footpath/Adlington circular walk
- ☐ Neighbourhood Equipped Area of Play and MultiUse Games Area
- ☐ Planting to compliment/enhance existing vegetation to provide landscape benefits
- ☐ New buffer planting to backs of housing on Abbey Grove and Bolton road

Assessment

4. The assessment of these proposals is structured as follows

1) Policy Assessment

- (a) Chorley Borough Council Local Plan Review
- (b) Adopted Chorley Borough Local Plan Review
- (c) Core Strategy
- (d) Site Allocations and Development Plan Policies DP (Preferred Option Paper)
- (e) Masterplanning Approach
- (f) Prejudice
- (g) Assessment of Proposal Against Final Criterion of NPPF Paragraph 159

2) Other Material Policy Considerations

- (a) Urgency
- (b) Ministerial Statement- Planning for Growth
- (c) Localism
- (d) The Community Infrastructure Levy

3) Affordable Housing

4) Policy Conclusion

5) Other Issues

- (a) Principle of Development
- (b) Background Information
- (c) Housing Development
- (d) Density
- (e) Design
- (f) Levels
- (g) Impact on Neighbours
- (h) Open space
- (i) Trees
- (j) Landscape
- (k) Ecology
- (l) Flood risk and Drainage
- (m) Traffic and Transport
- (n) Public Right of Way
- (o) Contamination
- (p) Sewers
- (q) Section 106 Agreement
- (r) Crime and Safety
- (s) Public Consultations
- (t) Sustainability

6) Overall Conclusion

\Representations

5. 694 letters of objection have been received raising the following concerns:

- ☐ Impact on the existing amenities in the area (schools, doctors, police, road networks)

- ☒ Highway safety concerns
- ☒ Impact on wildlife
- ☒ Increase in traffic
- ☒ Loss of parking
- ☒ Relocation of bus stops
- ☒ Increase in flood risk
- ☒ Impact of site traffic
- ☒ Decreasing house values
- ☒ The plans are inconsistent with The Chorley Local Plan Review for safeguarded land.
- ☒ This land was 'put aside' in the Central Lancashire Core Strategy /Allocation Policies as a 'possible' area should Adlington need more housing in the next 15 to 20 years and no figures have yet been determined. Permission should not even be considered before public consultations and inquiries are complete.
- ☒ The plans do not achieve the Governments ambitions for sustainable development- It is not sustainable to take away a very large area of greenfield pasture land and replace it with housing that is not necessary to the village.
- ☒ There is not enough employment to sustain Adlington at present.
- ☒ The village infrastructure cannot support more traffic.
- ☒ Access of Bolton Road is dangerous.
- ☒ Health centre is overloaded
- ☒ Paths are well used
- ☒ Adverse on plant life
- ☒ Loss of green space
- ☒ Loss of open space for children
- ☒ Loss of village feeling
- ☒ If the application is successful the extra housing units will greatly increase the usage of all our village facilities, schools, nursery, health services, both doctor and dental services as well as the increase in traffic.
- ☒ The police station has been closed so how will it be policed.
- ☒ It would destroy what is currently a beautiful place to live.
- ☒ The residents of Adlington do not want another development
- ☒ Inadequate public transport
- ☒ Not clear what the application is seeking- up to 300 houses and 30% affordable housing?
- ☒ There was minimal consultation with the local community at pre-application stage as such it cannot be said that comments received were taken into account
- ☒ This application cannot be reconciled with the aims of PPS7
- ☒ The submitted map within the statement of community involvement is inaccurate
- ☒ Insufficient parking is shown
- ☒ The Grove Farm application should weaken the case for the need for more housing
- ☒ Disruption caused during the construction phase.
- ☒ Junction of Babylon Lane, Chorley Road and Bolton Road already a 'difficult' junction.
- ☒ Timing of application is inappropriate due to being main holiday season.
- ☒ Plans not available on line
- ☒ The reduction in numbers of dwellings since the previous application suggests that the full number of dwellings will be brought forward over time
- ☒ The visual analysis submitted with the application shows that the landscape will be ruined
- ☒ The need for a separate emergency access shows that the traffic situation will be worsened following development
- ☒ Will increase antisocial behaviour in the area
- ☒ The proposed playground will be noisy for residents nearby
- ☒ The bus/train information submitted in the Transport Assessment is inaccurate
- ☒ Housing targets for the area have already been achieved
- ☒ The plans do not reflect local traditions and properties
- ☒ Not within the settlement boundary
- ☒ Overbearing, out of scale and character
- ☒ Concerns over future maintenance
- ☒ Data provided in support of the application is wrong
- ☒ Loss of parking for existing residents
- ☒ Other more suitable brownfield sites are available
- ☒ Transport Assessment insufficient as does not consider impacts of other approved schemes
- ☒ Loss of two long standing properties
- ☒ This will set a precedent if approved
- ☒ Adlington is merging into Manchester
- ☒ The proposal will result in damage to roads
- ☒ Documents provided have not been amended since previous application
- ☒ Application seems to make the assumption that other part of the site will come forward

- ☐ No garages shown on plans
- ☐ Air Quality Assessment is not accurate
- ☐ The boundaries of properties shown are too close to the existing boundary.
- ☐ Allotments shown on previous application should be provided in this application
- ☐ Cycle and footpaths links to station shown in previous application should be provided

Prematurity.

- ☐ It is not necessary to release this site for housing at the present time, given that Chorley Council currently has more than its five year supply of land for housing required by national planning policy.
- ☐ Whilst the site is listed within the Preferred Options document as a housing site, this document has itself not been formally approved by the Council. A decision on this site prior to this is pre-emptive and would pay little regard to the processes established to ensure that development in the borough is planned and managed in the most appropriate way.
- ☐ The development of this site, to this scale and extent raises serious issues for the longer term sustainability of Adlington and indeed the borough of Chorley. The recent growth of Adlington together with this proposed addition is not sustainable in terms of its impact upon quality of life, pressure on local services, amenities and wildlife.

Location of development: the greenfield/brownfield issue

- ☐ PPS 3 and Regional Spatial Strategy targets for the development of brownfield land are 60% and 70% respectively. The release of this large greenfield site potentially contradicts these policies and if so, priority should be given to the release and development of previously developed land.

Scale of development

- ☐ I understand that Chorley's requirement for new housing as set out in the Regional Spatial Strategy is 417 new dwellings per year. It is not acceptable for one location to provide for more than 70% of that target.
- ☐ The population increase is not acceptable or sustainable in terms of the impact upon local amenities, services and roads. Without significant investment in health care, schools and other public amenities Adlington will not be able to support this increase in population.
- ☐ There is only a limited resource of land available to accommodate further growth and at some stage a decision will need to be taken about the extent to which any area can be expected to accommodate ever-increasing levels of growth.

Impact on local services and amenities and the road network.

- ☐ Bolton Road and particularly its junction with Rothwell Road have been problematic for road users and pedestrians alike over the last few years. A number of accidents have been reported, hence measures have been put in place to improve visibility and control traffic movement in and around the junction. The creation of a main entrance to the site for a minimum of 300 cars (but likely at least twice that number) less than 100m away seems to run contrary to common sense – let alone highway safety.
- ☐ The development will only add to the surface run off and create even greater flooding risk, especially given the poor drainage evident on the site.

Impact on wildlife and ecology

- ☐ The development of housing – even with green corridors and ponds will change the character and ecology of the site to the detriment of local residents and wildlife alike.

6. Adlington Town Council object to the proposals on the following grounds:

- ☐ In the Town Council response to the "Sites for Chorley" document, a request was made for a meeting with Planning Officers. To date, this request has been ignored.
- ☐ The Town Council would like to see a decision on this application deferred until the Lancashire Core Strategy/Allocation policies are finalised.
- ☐ The proposed development would cause encroachment into the green belt corridor between Lancashire and Greater Manchester
- ☐ The proposals, if conjunction with recent existing development would, if permitted change the village character of Adlington
- ☐ The type of housing proposed in the development is out of keeping with the existing housing surrounding the site which is predominantly bungalows. Some of these would be additionally overshadowed by the new housing as in some parts of the site the housing would be at a higher level.
- ☐ The proposed site of the multi-use games area is inappropriate as it is at the edge of development and therefore would inconvenience residents of existing properties
- ☐ The Town Council is concerned that there may not be adequate places available in local schools to cater for the large increase in the population, should this development go ahead.

- ☐ At present it has not been determined whether local medical and dental services and local Accident & Emergency facilities have adequate capacity to deal with the proposed population increases in Adlington and surrounding area.
- ☐ There is very little local employment available.
- ☐ It is uncertain whether Lancashire Constabulary has the resources to police the increased population, particularly in view of the fact that the local Police Station is closing and the Community Beat Manager is part time.
- ☐ Parking is a problem on Bolton Road and adjacent roads and some of the space that is currently available for residents would be lost if the development is allowed.
- ☐ In light of the above, The Town Council considers that the proposed development is unsustainable.
- ☐ Both residents and observers would disagree with the brief summary in the Design and Access statement, stating that there is an absence of protected wildlife species. The Town Council would like to see an independent ecology survey and request that CBC or LCC facilitate this.
- ☐ The Town Council queries the vehicle movement figures given in the documentation as this development would comprise mainly multiple car households, which would not appear to have been taken in to account.
- ☐ There is already traffic congestion on Bolton Road and this would be exacerbated by this development. The local Police have expressed concern about speeding in the area of the proposed development (Fox Developments' own survey records average speeds of 31mph on this 30 mph road.) In addition a major housing development three miles away currently in progress in the neighbouring area of Horwich will inevitably increase the volume of traffic on this road.
- ☐ Because of the lack of employment opportunities in Adlington, this development would create a large increase in commuters, contrary to Government policy.
- ☐ Public transport is not a viable option as the express service to Manchester has recently been withdrawn and the rail service is infrequent. There are no plans to increase public transport services.
- ☐ The data used to compile the transport assessment is from the 2001 Census and is, therefore, completely out of date, rendering the report unfit for purpose.
- ☐ Has Lancashire County Council been consulted about the design and layout of the access road, and if so, is it considered acceptable? The Town Council is particularly concerned at the proposed junction's proximity to the St Joseph's Primary School entrance.
- ☐ As there are no secondary schools in Adlington, this development, if permitted, would increase the number of car journeys made, and/or extra school buses would be required, both increasing the amount of traffic on the roads at peak times.
- ☐ The Town Council considers that a development of this size will have an adverse effect on the noise and pollution levels in the village, particularly in the area of the junction with the development and at the traffic lights in the commercial centre of Higher Adlington.
- ☐ The proposed development will require the re-siting of existing bus stops. This would cause problems for local residents, particularly elderly residents of Rothwell Road.

7. Anderton Parish Council have made the following comments on the application:

- ☐ The Parish is extremely concerned by the proposal to demolish two well established and serviceable properties in order to construct and access point onto Bolton Road. The council is aware of serious safety concerns that residents on this particular stretch of road already face in terms of the junction of Rothwell Road. The council feels that given the constraints of the current road system an additional junction at this point would form an additional and unacceptable road safety hazard.
- ☐ The council considers that a development of this scale and nature would have a detrimental impact on both the amenity of the local area and on residents. The site forms an outward facing area towards the greenbelt boundary with greater Manchester and as such forms an important delineator with the adjacent district.
- ☐ Over time the proposed site has become a valuable environmentally natural amenity enjoyed by our local residents and the council is concerned about the potential loss of green space to housing development, which appears contrary to good sustainability principles.
- ☐ The council believes that since the LDF/Sites Allocation process has not yet been completed this application is premature. Previous structure plans have indicated that a more suitable development of this site would be for recreational purposes, which would appear more in keeping with this rural area.

Consultations

8. Lancashire County Council (Ecology) have reviewed the information submitted in support of this application, in conjunction with environmental information held by Lancashire County Council and consider that sufficient information has been submitted within the Ecology report to determine the application.

9. Natural England have made the following comments:

- ☒ This proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development.
- ☒ Natural England has adopted national standing advice for protected species which should form as material consideration in the determination of any planning application.

10. **The Environment Agency** has no objection to the proposals subject to the use of appropriate conditions.

11. **The Architectural Design and Crime Reduction Advisor** has commented in respect of security and crime but recommends that they have further input as the scheme is developed

12. **Network Rail** have no objections subject to conditions

13. **Chorley Council's Planning Policy Section** have made the following points:

- ☒ The land is allocated as Safeguarded Land in the Local Plan and development of the site is not in accordance with Policy DC3. However, at a recent appeal for 300 houses on another part of the Safeguarded Land, the Inspector concluded that there were material considerations that outweighed the breach of Policy DC3. The application therefore needs to be considered in the context of all material considerations...
- ☒ Chorley Council has a five year housing supply including a 5% buffer in line with the Framework; therefore there is no additional presumption to consider this proposal favourably.
- ☒ The site is allocated for housing in the Local Plan Publication Version but the proposal is not in line with phasing for the proposal.

14. **Director People and Places** has no objection to the proposal but has advised the developer that all reasonable precautions should be taken to avoid unnecessary disturbance to exiting residents.

15. **Leisure Services have commented as follows:**

- ☒ The landscape and visual appraisal has been carried out in accordance with the Guidelines for Landscape and Visual Assessment and gives a good overview of the issues pertinent to the site. I have no comments in relation to the findings which acknowledge that there will be short term adverse impacts to the visual amenity of a limited number of local residents but these should be mitigated in the long term by the planting strategy.
- ☒ The NEAP is well located with a good level of surveillance from overlooking properties. The location also makes it easily accessible from the existing properties north of Bolton Road.
- ☒ The design and access statement makes reference to the NEAP providing a mix of toddler, child and teen provision and the parks and open spaces team support this approach.
- ☒ The open space and footpath network makes maximum use of the existing landscape structure and links well with the wider footpath network. This is good practice and seems an appropriate provision considering the scale of development proposed.

16. **United Utilities** – no comments received. Any comments returned will be reported on the Addendum.

17. **Lancashire County Council (Highways)** – have no objection to the proposal subject to the applicant entering into a Section 278, Section 106 contributions and appropriate conditions.

18. **Lancashire County Council (Archaeology)** has no objection to the proposal. It is considered that no further archaeological investigation at the site is required.

19. **Chorley's Waste & Contaminated Land Officer** has no objection subject to conditions

20. **Lancashire County Council (Education)** have requested £698,139 to address a shortfall in primary school as a result of the proposal.

21. **Central Lancashire Primary Care Trust** have made the following comments:

- ☒ The local GP practices have the capacity to accommodate an estimated increase in population of patients.
- ☒ There are two GP surgeries in Adlington and one PCT owned health clinic. Adlington Medical Centre has sufficient capacity to cope with the anticipated number of patients from the new development.
- ☒ Granville House Medical Centre has a total of 8,200 patients registered at the present time and has no spare physical capacity within their existing practice premises.
- ☒ One of the key infrastructure requirements identified in the PCT's Capital Development and Estates Strategy 2010 – 2020 was the upgrade of Adlington clinic. PCT capital monies were used to fund the

cost of the alteration and refurbishment work. This work was completed in 2011 and has significantly enhanced the clinical environment and increased the clinical capacity available at the clinic.

- ☐ Any further increase in dwellings in this area over and above those identified in this latest planning application would have an adverse impact on the provision of local medical services

22. Lancashire County Council (Planning Contributions) – No comments received to date

23. Environmental Health (Air Quality) - have made the following comments:

- ☐ I have reviewed the report they have submitted and confirmed that other than some short term impact from the construction phase, which will require some mitigation, the overall impact of the development on air quality objectives will be negligible.

24. Environmental Health (Noise) - have no comments to make

25. Lancashire County Council (Public Rights of Way) have no objection to the proposals subject to a number of informatives being applied to any approval.

26. The Council's Housing Manager has commented in respect of the affordable housing mix.

27. The Highways Agency raise no objection to the application

Applicants Case

28. Following the publication of the Framework (27 March 2012) the applicants have provided the following comments in support of the application:

Economic

- ☐ As evidenced within the related Socio Economic Impact report produced by Regeneris Ltd. the application proposal will make a significant contribution toward the economic growth and prosperity of Chorley Borough by ensuring that sufficient housing land is available in Chorley borough and more specifically in Adlington where development is required to meet housing need.
- ☐ The economic benefits that flow directly from construction jobs will be realised immediately on implementation of the development and thereafter the economic benefits from the spending capacity of new residents will help to reinforce and boost the local economy.
- ☐ Several national house builders have indicated their interest in the site to us which indicates national house builders are confident that if planning permission is granted housing would be delivered quickly. This will not only contribute towards meeting housing needs but will also provide much needed jobs within the local economy.
- ☐ It has been demonstrated that the requisite infrastructure necessary to serve the proposed development is or can be made available.
- ☐ Overall it is submitted that the application proposals accord with the economic dimension of sustainable development in the context of the Framework.

Social

- ☐ The application proposals will make a significant contribution to meeting both open market and affordable housing needs within the borough.
- ☐ In relation to affordable housing there is a significant identified need due to historic under delivery which the application proposals will help to address quickly thus contributing to a socially inclusive and cohesive community. Affordable dwellings will be located throughout the scheme thereby helping to create a mixed and balanced community.
- ☐ Increasing the overall supply of housing improves affordability by addressing supply/demand imbalances thus allowing more people to access the housing market which is a positive social benefit
- ☐ With regard to the matter of creating a high quality environment, whilst in outline at this stage, the Design and Access Statement submitted with the original planning application demonstrates that the development will be of high quality. In itself this constitutes a significant social benefit by reason of providing the new and existing community with an attractive place to live.
- ☐ Accessibility to local services is good and as a designated Urban local Service Centre Adlington is identified as a settlement where housing and employment growth will be accommodated.

Environmental

- ☐ In terms of the environmental aspects of sustainability it has been demonstrated that there is a need to release greenfield land Adlington to meet part of the boroughs housing need.
- ☐ The principle of development on this site is also underpinned in policy terms by reason of the current local plan designation as 'Safeguarded' Land', which is also reinforced by Council having now

proposed the allocation of the site as one of its preferred options for a housing allocation in the 'Sites for Chorley' Sites Allocations DPD.

- ☐ Acknowledging that the principle of the development in land use terms is acceptable, it is also therefore necessary to consider how the application proposals perform against the environmental aspects of sustainability as set out under Paragraph 7 of the Framework.
- ☐ In relation to biodiversity the ecological assessment submitted with the planning application demonstrates that there are no incumbent factors that would prevent development on the site. Equally there is opportunity for biodiversity enhancements as part of the proposals.
- ☐ Various safeguards, in the form of proposed appropriate planning conditions, will be applied in this regard.
- ☐ In relation to the sustainability of the built development the application proposals will provide for energy efficient housing. The outline planning application was accompanied by a Sustainability Appraisal that examined various options for producing energy efficient homes that comply with local and national standards.

Mutual Dependency

- ☐ Paragraph 8 of the Framework indicates that the economic, social and environmental roles of sustainability are mutually dependent and should be sought jointly and simultaneously through the planning system.
- ☐ In this case it is evident that the application proposals would secure economic, social and environmental benefits and would result in a sustainable development that makes a positive and significant contribution toward meeting housing need within this part of the borough whilst utilising the environmental attributes present on site to maintain and enhance the habitat and potential for species.

Local Circumstances

- ☐ Paragraph 10 of the Framework states that: "Plans and decisions need to take local circumstances into account, so that they respond to different opportunities for achieving sustainable development in different areas".
- ☐ The application proposals respond to local circumstances by helping to deliver affordable and open market houses in a location identified by the Council as being suitable for such purpose.
- ☐ In this case there is no conflict with the government's localism agenda. There is a relatively small modicum of local objection to the scheme. However the Council has identified the land as 'Safeguarded Land' in its Local Plan which is reserved from the Green Belt to accommodate development needs up to 2016.
- ☐ Further it has democratically elected to propose the site for a housing allocation in the 'Sites for Chorley' Sites Allocations DPD as part of mixed use allocation. There is also strong evidence provided within the application submission which demonstrates that the proposals for a 3ha employment allocation on the site should not be affirmed as it is not fit for purpose in land use terms.
- ☐ It is also notable that the Grove Farm Local Plan employment allocation which immediately adjoins the application site was recently released from its allocated purpose to accommodate housing development.

The Presumption In Favour Of Sustainable Development

- ☐ Paragraph 14 of the Framework establishes a presumption in favour of sustainable development. For decision-taking this means (unless material considerations indicate otherwise):
 - "approving development proposals that accord with the development plan without delay; and
 - where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:
 - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or
 - specific policies in this Framework indicate development should be restricted."
- ☐ The application proposals meet current housing needs in a manner which does not compromise the ability of future generations to meet their own needs; they therefore constitute sustainable development and therefore should benefit from the presumption in favour of such development as stated in Paragraph 14 of the Framework.
- ☐ In the context of decision taking (Paragraph 14 of the Framework) the evidence produced by the applicant demonstrates that the application proposals constitute a departure from the local plan but moreover achieve strong accord with the emerging Core Strategy and Site Allocations DPD.
- ☐ It is evident that the Local Plan does not attract 'full weight' given that it was adopted in 2003. To do so it would have to have been adopted since 2004.
- ☐ In the context of this planning application the Local Plan is in effect inconsistent with the Framework. The policy of restraint applied through DC3 'Safeguarded Land' is demonstrably out of date. This is clearly evidenced by the fact that a significant majority of 'Safeguarded Land' being located at and around the six Urban Local Services Centres is now identified with in the Site Allocations DPD as the Council's preferred option for housing growth.

- ☐ The weight to be attributed to the Policy DC3 in this case is low. Hence the departure from the Local Plan is acknowledged but should not be a decisive determining factor in this application.
- ☐ In the context of this planning application the Central Lancashire Publication Core Strategy has reached an advanced stage of preparation having been through an 'Examination in Public'. It should therefore carry 'significant' weight in the decision making process on this proposal.
- ☐ The key strategic policies contained within the emerging Core Strategy are; Policy 1 – Locating Growth, Policy 4 Housing Delivery and Policy 9 – Economic Growth.
- ☐ Policy 1 identifies Adlington as an Urban Local Service Centre where some housing and employment will be accommodated. The suitability of Adlington to accommodate growth has therefore been assessed by the Council in its plan making process and it has been deemed to be sustainable.
- ☐ Policy 4 specifies that the ULSC will deliver 2100 dwellings between 2010 and 2026. In this context the Council has chosen the application site as one of its preferred allocations in its emerging Site Allocations DPD. The council's policies with regard to this site (178 dwellings) are the subject of significant support from third party contributors to the process and therefore the weight to be attached to these policies should be significant.
- ☐ Overall, the policy basis for the proposal demonstrably accords with key strategic emerging policies.
- ☐ The policy approach to weighting proposals against emerging policy accords with the approach advocated in the Framework, paragraph 14 and thus the 'presumption in favour of sustainable development' must legitimately apply and override the out of date Local plan in respect of this proposal.
- ☐ A related material consideration in the context of the presumption in favour of sustainable development is the direct comparison with the planning permission granted by Secretary of State in July 2011 at Clayton-le-Woods. The Secretary of State's decision at Clayton-le-Woods is an important material consideration in this case.
- ☐ On the matter of prematurity the approach taken by the Secretary of State in his decision should equally apply to these proposals. Thus they cannot logically be regarded as premature when the advice contained in the Framework is properly applied. In accordance with paragraph 49 of the Framework the local planning authority should consider this application in the context of the presumption in favour of sustainable development. There would be no legitimate planning reason to hold back development in this ULSC. It could not be argued that the application is premature nor would it lead to any oversupply of housing in this ULSC, particularly as the current delivery rate of dwellings in Adlington is five dwellings in the last monitoring year. Indeed the Framework does not advocate any form of arbitrary restraint in housing delivery; rather it seeks to "boost significantly the supply of housing". As the rate of housing delivery remains extremely low across the ULSC this site should be released now.
- ☐ The Inspector at a recent appeal for 27 dwelling in Coppull concluded that DC3 is outdated and should not be afforded considerable weight.

Delivering Sustainable Development – Promoting Sustainable Transport

- ☐ The application proposals have the potential to support sustainable transport modes through the close proximity of shops and services which will foster walking and cycling. Additionally the public transport network in the area offers the potential for journeys to be made by bus and train.
- ☐ Section 36 of the Framework indicates that a key tool to promote sustainable transport is a Travel Plan. Notably the application contains a draft TP in this regard.

Delivering Sustainable Development – Promoting Healthy Communities

- ☐ The proposals have the potential to promote a healthy community through the creation of a safe and accessible development and one which has access to areas of open space and the wider countryside for recreation and which encourages sustainable transport modes such as walking and cycling.

Delivering Sustainable Development - Meeting the Challenge of Climate Change, Flooding & Coastal Change

- ☐ The areas proposed for built development on the site are not at risk of flooding and there are no objections to the appeal proposals on flooding grounds from either the Council or Environment Agency (EA).

Delivering Sustainable Development – Conserving and Enhancing the Natural Environment

- ☐ Section 11 of the Framework deals with the natural environment. In the appeal context the following matters are relevant:
 - Landscape.
 - Ecology.
 - Trees.
 - Pollution.
 - Agricultural land.

- ☐ In relation to landscape the report produced by FPCR demonstrates that the application site can adequately accommodate the proposed development without adverse effects on the landscape or visual amenities and this factor weighs in favour of the proposals.
- ☐ In relation to biodiversity the ecological assessment submitted with the planning application demonstrates that there are significant opportunities for bio diversity enhancements as part of the proposals.
- ☐ In relation to trees the proposals provide for significant tree retention (almost 100%) and new deciduous tree planting will more than compensate for the removal of an insubstantial amount of poor quality trees.
- ☐ In relation to pollution the application site is not contaminated, noise matters can be satisfactorily mitigated and air quality matters do not raise any adverse impact.
- ☐ In relation to agricultural land the site is not best and most versatile agricultural land.

Applicant's Summary

- ☐ In summary, the application proposals scheme has been demonstrated to be sustainable and should therefore benefit from the presumption in favour of such development as set out in Paragraph 14 of the Framework. The Local Plan is out of date and for the reasons specified in the Framework policy DC3 'Safeguarded' should not be attributed full weight. The policies contained within the now advanced emerging Central Lancashire Core Strategy should attract significant weight with which proposals strongly accord.
- ☐ A wealth of other material considerations relating to housing need (both open market and affordable) has been identified by the Council in their CS evidence base and these factors weigh heavily in favour of the proposals.
- ☐ The Secretary of State in his decision at Clayton-le-Woods acknowledged the need to steeply increase the amount of housing in the ULSC now. This principle therefore applies to Adlington.
- ☐ The site has been identified by the Council as one of its preferred options for housing and employment in the Sites for Chorley Site allocations DPD. The employment element of the proposed allocation is the subject of substantial objection and has been shown to be demonstrably unsuitable in land use planning terms. The weight to be attributed to that element of proposed allocation is therefore low and should not be regarded as decisive in the determination of this case.
- ☐ Taken as a whole the application proposals achieve strong accordance with the Framework and clearly benefit from the presumption in favour of sustainable development.

Policy Background

National Planning Policy:

29. The relevant national planning policy guidance/statements are as follows:

☐ **National Planning Policy Framework (NPPF) 'The Framework'**

The Framework states:

'Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU and statutory requirements.'

30. The Framework confirms that for 12 months from the day of publication (27th March 2012), decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework.

31. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).

32. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:

- ☐ the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- ☐ the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- ☐ the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

33. At the heart of the Framework is the presumption in favour of sustainable development which is established as the 'golden thread' running through the plan and decision making processes. For decision making this means:
- ☐ Approving development proposals that accord with the development plan without delay; and
 - ☐ Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:
 - Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
34. The Framework states that local authorities should:
- ☐ identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
 - ☐ To be considered deliverable, sites should be available now, offer a suitable location for development now, and be achievable with a realistic prospect that housing will be delivered on the site within five years and in particular that development of the site is viable. Sites with planning permission should be considered deliverable until permission expires, unless there is clear evidence that schemes will not be implemented within five years, for example they will not be viable, there is no longer a demand for the type of units or sites have long term phasing plans.
35. Paragraph 48 of the Framework states:
'Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.'
36. Paragraph 49 of the Framework states:
'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'
37. Paragraph 50 states:
'to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- ☐ *Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community;*
 - ☐ *Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and*
 - ☐ *Where they have identified that affordable housing is needed, set policies for meeting this need on-site unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.'*
38. One of the core principles of the Framework is to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth. Another of the core principles is to promote mixed use developments.
39. Paragraph 19 states that significant weight should be placed on the need to support economic growth through the planning system. Paragraph 37 also states that planning policies should aim for a balance of land uses within their area so that people can be encouraged to minimise journey lengths for employment, shopping, leisure, training and emergency service needs.

The Development Plan

40. The development plan comprises the Central Lancashire Core Strategy, 2012, the saved policies of the Adopted Chorley Borough Local Plan Review 2003 and the North West of England Regional Strategy 2008 (RS).
41. The starting point for assessment of the application is Section 38 of the Planning and Compulsory Purchase Act 2004 that states if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

Regional Spatial Strategy (RS)

42. At the current time the Regional Strategy (RS) for the North West is still in force. The Secretary of State's intention to revoke RS, and how that intention should be considered has been a matter for the courts, with the outcome that RS remains part of the development plan, and that the intention to revoke can be regarded as a material consideration in the determination of planning applications.
43. Section 109 of the Localism Act has already come into force which gives the Secretary of State the power to revoke the whole or part of any Regional Spatial Strategy. Consultation on Strategic Environmental Assessment (SEA) which considers the environmental impacts of revocation expired on 20 January 2012. The Government had previously indicated that it intended to revoke RS by April 2012, however further Strategic Environmental Assessment on this is still anticipated.
44. The relevant policies of the RS are as follows:
- ☐ DP1: Spatial Principles
 - ☐ DP2: Promote Sustainable Communities
 - ☐ DP4: Make the Best Use of Existing Resources and Infrastructure
 - ☐ Policy DP5: Manage Travel Demand; Reduce the Need to Travel and Increase Accessibility
 - ☐ DP7: Promote Environmental Quality.
 - ☐ DP9: Reduce Emissions and Reduce Climate Change.
 - ☐ RDF1: Spatial Priorities
 - ☐ RDF2: Rural Areas
 - ☐ L4: Regional Housing Provision
 - ☐ L5: Affordable Housing
 - ☐ RT2: Managing Travel Demand
 - ☐ RT9: Walking and Cycling
 - ☐ EM1: Integrated Enhancement and Protection of the Region's Environmental Assets
 - ☐ EM5: Integrated Water Management
 - ☐ EM15: A Framework for Sustainable Energy in the North West
 - ☐ EM16: Energy Conservation and Efficiency
 - ☐ EM17: Renewable Energy
 - ☐ CLCR1: Central Lancashire City Region Priorities
 - ☐ L4: Regional Housing Provision

Adopted Chorley Borough Local Plan Review

45. The Framework confirms that for 12 months from the day of publication of the Framework (27th March 2012), decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework. The Local Plan Policies were adopted in 2003 and saved by the Secretary of State in 2007 which was in accordance with the Planning and Compulsory Purchase Act 2004. The Framework also confirms that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans. The emerging plan is addressed later in this report.
46. The relevant policies of the Local Plan are as follows:
- ☐ GN1- Settlement Policy – Main Settlements
 - ☐ GN5 - Building Design and Retaining Existing Landscape Features and Natural Habitats
 - ☐ GN9 – Transport Accessibility and Mixed Uses
 - ☐ DC1- Green Belt
 - ☐ DC3 – Safeguarded Land
 - ☐ EP2 – County Heritage Sites and Local Nature Reserves
 - ☐ EP4 - Species Protection
 - ☐ EP9 - Trees and Woodlands
 - ☐ EP10 - Landscape Assessment
 - ☐ EP12 – Environmental Improvements
 - ☐ EP17- Water Resources and Quality

- ☐ EP18 – Surface Water Run Off
- ☐ EP21A - Light Pollution
- ☐ EP22 - Energy Conservation
- ☐ EP23 - Energy from Renewable Resources
- ☐ HS1- Housing Land Requirements in Chorley
- ☐ HS4 – Design and Layout of Residential Development
- ☐ HS5 – Affordable Housing
- ☐ HS6 – Housing Windfall Sites
- ☐ HS19 – Public Open Space in Housing Developments
- ☐ HS20 – Ornamental Open Space
- ☐ HS21 – Playing Space Requirements
- ☐ TR1 – Major Development – Tests for Accessibility & Sustainability
- ☐ TR4 – Highway Development Control Criteria
- ☐ TR18 – Provision for Pedestrians and Cyclists In New Development
- ☐ TR19 – Improvement or Provision of Footpaths, Cycle ways and Bridleways in Existing Networks and New Developments
- ☐ LT10 – Public Rights of Way

47. The Local Plan Review has a number of employment objectives. Although this site is allocated as Safeguarded Land in the Local Plan, of most relevance to this application is the objective relating to providing an adequate supply of land which is suitable for a range of employment purposes and capable of being developed in the plan period, and to ensure where possible major employment sites are located in transport choice locations and that all sites are easily accessible by both the road network and by other means other than the private car. This objective is consistent with the Framework.

Central Lancashire Local Development Framework: Joint Core Strategy

48. Central Lancashire Core Strategy – The Central Lancashire Core Strategy has been prepared jointly by Chorley, Preston and South Ribble Councils and was adopted by all three authorities in July 2012.

49. The following Core Strategy Policies are of relevance to this application:

- ☐ **Policy 1** Locating Growth identifies locations that are appropriate for growth and investment. Adlington is identified as an Urban Local Service Centre and states that some growth and investment will be encouraged there to help meet housing and employment needs. Therefore, it is a settlement where some housing and employment growth is considered appropriate.
- ☐ 9% of Central Lancashire's housing development will take place in Urban Local Service Centres, including Adlington, over the period 2010 – 2026. Approximately 2100 dwellings are predicted in total in the 6 Urban Local Service Centres based upon:
 - o existing housing commitments (sites that already have planning permission for housing)
 - o proposed allocations in the Sites for Chorley Preferred Option Paper
 - o dwellings already completed in the 6 Urban Local Service Centres during the first year of the Core Strategy housing requirement period (2010 – 2011).
- ☐ However, the document highlights that this is a predicted distribution based on the potential for housing development in each place and *not* proportions that are required to be met.
- ☐ **Policy 2** of the Core Strategy relates to infrastructure. The Policy refers to the application of a levy/tariff based on standard charges as appropriate, noting that '*This will ensure that all such development makes an appropriate and reasonable contribution to the costs of provision after taking account of economic/viability considerations*' The policy also notes that LPAs "will set the broad priorities on the provision of infrastructure, which will be linked directly to the commencement and phasing of developments. This will ensure that enabling infrastructure is delivered in line with future growth, although some monies will be specifically collected and spent on the provision of more localised infrastructure."
- ☐ **Policy 3** encompasses increasing accessibility and promoting sustainable travel as a key theme within chapter 7 Catering for Sustainable Travel. Travel includes measures to reduce the need to travel by improving public transport
- ☐ **Policy 4** Housing Delivery sets out housing requirements of 417 dwellings per annum for the two-year period 2010-2012.
- ☐ **Policy 5** relates to housing density which is an important consideration in any proposed housing scheme. The key objective is to achieve high quality design that responds to the character of the area in terms of existing density, siting, layout, massing, scale, design and landscaping etc.
- ☐ **Policy 7** relates to affordable housing and states that 30% affordable housing will be sought from market housing schemes.
- ☐ **Policy 14** Education provides for educational requirements by enabling new schools to be built in locations where they are accessible by the communities they serve using sustainable modes of transport.

- ☐ **Policy 17** relates to the design of new buildings which will be expected to take account of the character and appearance of the local area.
- ☐ **Policy 22** looks to conserve, protect and seek opportunities to enhance and manage the biodiversity and geodiversity assets of the area through a number of measures. Measures a) and b) promote the conservation and enhancement of biological diversity and seek opportunities to enhance and expand ecological networks.
- ☐ **Policy 27** relates to incorporating sustainable resources into new developments. Objections related to its implementation and its relationship with other guidance and regulations.

Emerging_Policy Considerations

Chorley Local Plan (Previously Site Allocations & Development Management Policies DPD) Publication Stage

50. Consultation on the publication version of this document, referred to as the 'Local Plan Publication Version' will take place between the 19th October and the 30th November 2012 following approval by full Council in September 2012. This document will accord with the broad content of the Central Lancashire Core Strategy but will provide more site-specific and policy details. The purpose of this document is to help deliver the aims of the Central Lancashire Core Strategy by setting out development management policies and allocating or protecting land for specific uses. The emerging plan is at a relatively advanced stage of preparation, and can be afforded a limited degree of weight. At a recent appeal the Inspector referred to the document being afforded limited weight when at the Preferred option stage. The document is now further advanced it can now be afforded greater weight.
51. The land that is the subject of this application forms the HS1.24 Land Adjacent to Bolton Road residential allocation under Policy HS1: Housing Site Allocations. The emerging Local Plan safeguards this 7.2 hectare site for residential development.
52. Policy HS2: Phasing of Housing Development sets out the phasing that should take place on allocated sites over the plan period. The following phasing applies to this site:
- ☐ 46 dwellings in phase 2 (2016 – 2021)
 - ☐ 146 dwellings in phase 3 (2021 – 2026)

Other Material Considerations

53. In July 2011 an appeal decision relating to a proposal for 300 dwellings on a Safeguarded Land site in Clayton-le-Woods (appeal ref: APP/D2320/A/10/2140873) was allowed even though the Inspector concluded that the development of Safeguarded Land for housing was contrary to Local Plan Policy DC3, and that there was a proven 5.4 years supply of land for housing. The Secretary of State stated that:
- ☐ Clayton-le-Woods is a main place for growth as it is identified as an Urban Local Service Centre where 'some growth and investment will be encouraged';
 - ☐ there would need to be a steep increase in housing delivery from now onwards, and that the area of strategic land that includes the appeal site is realistically the only land available in Clayton-le-Woods for delivering this growth;
 - ☐ that given the extensive consultation which has occurred on this proposed designation since November 2006, the area's consistent identification for growth, and the relatively advanced stage of the Core Strategy, this part of the Core Strategy should be afforded significant weight.
54. The Planning Inspector and the Secretary of State both agreed that there was a five-year supply of housing in the Borough they also took the view that the determination of need involves a consideration of more than the five-year housing supply and that it should take account of wider issues, particularly the planned growth within the emerging Core Strategy and this was a material consideration in determining the appeal.
55. In July 2012 an appeal for development of up to 135 dwellings on land to the north and west of Lucas Lane, Whittle-le-Woods was upheld by the Inspector even though it was concluded that the Council had a small oversupply of houses and therefore a five year supply could be demonstrated.
56. The Inspector concluded that the (then unadopted) Core Strategy identified Whittle-le-Woods as an area for 'some growth' and whilst the Site Allocations DPD was at an early stage it was clear that some safeguarded land would need to be released to provide for the necessary growth. As the appeal site represented the Councils preferred option in the emerging DPD and as there were no infrastructure

constraints prohibiting it being brought forward, then the release of the land now would not undermine the Development Plan process or set a harmful precedent.

57. Ministerial Statement – Planning for Growth

On the 23rd March 2011 The Minister of State for Decentralisation and Cities, Greg Clark MP, issued a written parliamentary statement in which he said that ministers will work quickly to reform the planning system to ensure that the sustainable development needed to support economic growth is able to proceed as easily as possible. The principles of this document have now been enshrined within the Framework which has superseded this statement.

1) Policy Assessment

1a) Chorley Local Plan Review, 2003

58. Chorley Local Plan Policy DC3 allocates the land as Safeguarded Land under Policy DC3.2 in the Local Plan. Safeguarded Land comprises areas and sites which may be required to serve development needs in the longer term, i.e. well beyond the plan period, in line with the Framework (paragraph 85). The supporting text to policy DC3 states that this land was to be treated as if it were Green Belt until such time as a need for it was identified in a future review of the plan. It also states that Safeguarded Land in the Plan will remain protected until 2006.

59. Policy DC3 states that development other than that permissible in the countryside under policies DC1 (Development in the Green Belt) and DC2 (Development in the Area of Other Open Countryside) will not be permitted. The proposal is not for development permissible under either Policy DC1 or DC2 and it is therefore contrary to policy DC3.

60. The Adopted Local Plan at 1.4 states 'A key feature of the 1997 adopted Plan is that for the first time, it established precise Green Belt boundaries. It was the intention that the overall extent of the Green Belt in Chorley Borough will not be changed until at least the year 2016. To help achieve this Areas of Safeguarded Land were identified in the 1997 Plan, and are with one exception retained in this Plan, to accommodate development pressure in the period up to 2016 if necessary'. It was therefore intended the extent of the Green Belt to remain until at least 2016, however it was expected that there would be a review before the end of the plan period, which extended to 2006.

61. The current Local Plan Review was adopted in 2003. However The Planning and Compulsory Purchase Act 2004 introduced the Local Development Framework process which replaced the local plan-making process. Safeguarded Land was protected until 2006, but following the establishment of the Local Development Framework process Chorley Borough Council applied for and obtained a Direction from the Government Office for the North West to save a number of policies including DC3, for on-going use after 27 September 2007. As part of that letter from the Government Office it provides the following guidance:

'Following 27 September 2007 the extended policies should be read in context. Where policies were adopted sometime ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions. In particular, we would draw your attention to the importance of reflecting policy in Planning Policy Statement 3 Housing and Strategic Housing Land Availability Assessment in relevant decisions.'

62. The Framework confirms that there is an ongoing requirement that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. The Framework is a material consideration which may justify determining an application against the provisions of the development plan, depending on the extent to which the plan is inconsistent with the Framework. For the first 12 months following the publication of the Framework, this applies only to those development plan policies adopted before 2004 (as is the case with the Chorley Local Plan). The implication of this provision is that reduced weight may be given to a development plan where it is inconsistent with the Framework. Conversely where a development plan is consistent with The Framework (even where adopted before 2004); it follows that applications should continue to be determined in accordance with the development plan.

63. The Council consider that Policy DC3 is in accordance with the Framework which confirms that safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following a Local Plan review which proposes the development (Para 85) and consider that significant weight should continue to be attached to the development plan policies and that, in this instance, the publication of the Framework does not reduce the weight to be attached on the basis that they are in general conformity with The Framework. This is not the conclusion drawn by the Inspectors at the most recent appeal on safeguarded land at

Wigan Road and Lucas Lane as outlined above. Both Inspectors concluded that Policy DC3 should be considered out of date and afforded limited weight.

64. The Council consider that the proposal would be in breach of saved Policy DC3; however this policy must be read in the context of other material considerations that may be more up to date. The issue is therefore whether there are other material considerations that outweigh policy DC3 to justify releasing the application site now.
65. Paragraph 47 of the Framework states that local planning authorities should *'identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;'*
66. In accordance with paragraph 47 of the Framework the Council have identified in excess of 5 years supply of housing. It is not the applicant's case that the Council does not have a 5 year supply. The issue of five year supply was debated at the recent Lucas Lane Inquiry. However the Inspector concluded that there was a 5.45 years supply was available, exceeding the 5 year plus 5% buffer required. The information in the 2010-2011 Annual Monitoring Report indicates that there is a 5.7 year supply for the period 1st October 2011 – 30th September 2016.
67. The Framework goes on the state (para 49) that *'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'*
68. As the Council have identified in excess of 5.25 years supply of deliverable housing sites there is no requirement to consider this application favourably in line with paragraph 49 of the Framework.
69. From April 2010 (the start date of the Core Strategy housing period) to April 2011, 5 dwellings were completed within the Adlington settlement. A further 111 dwellings with planning permission were yet to be completed as at 1 April 2011 (48 were residential moorings). In the following 6 month period from April to October 2011, 21 of the remaining 111 dwellings were completed.
70. An additional 110 dwellings were granted planning permission in Adlington in the 6 month period from April to October 2011. 75 dwellings were granted outline permission at Grove Farm, 20 dwellings were granted planning permission at Weldbank Plastics, 14 were granted planning permission at Acresfield and one was granted planning permission on Chorley Road.
71. In total 26 dwellings were completed in Adlington between April 2010 and October 2011 which go towards meeting the Core Strategy housing requirements. A further 120 dwellings have full planning permission and 80 dwellings have outline planning permission.
72. Paragraph 159 of the Framework states Local Planning Authorities should have a clear understanding of housing needs in their area. Local planning authorities should:
- ☐ prepare a Strategic Housing Market Assessment to assess their full housing needs, working with neighbouring authorities where housing market areas cross administrative boundaries. The Strategic Housing Market Assessment should identify the scale and mix of housing and the range of tenures that the local population is likely to need over the plan period which:
 - meets household and population projections, taking account of migration and demographic change;
 - addresses the need for all types of housing, including affordable housing and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);and
 - caters for housing demand and the scale of housing supply necessary to meet this demand;
 - ☐ prepare a Strategic Housing Land Availability Assessment to establish realistic assumptions about the availability, suitability and the likely economic viability of land to meet the identified need for housing over the plan period.
73. In accordance with the Framework, the proposed development should seek to provide a mix of high quality housing to assist in meeting current and future demographic needs of the borough. The scheme is in outline with all matters reserved apart from access, therefore details are not provided about the design or layout. These matters will need to be addressed at the reserved matters stage if outline planning permission is granted.

74. In terms of the suitability of the site for housing, the Local Plan identifies for future development needs. This allocation is proposed within the Local Plan Publication Version. Therefore, it has been recently assessed as being genuinely capable of development as part of the Local Plan process, in line with guidance in the Framework. The site has also been assessed as part of the emerging Local Plan. Overall the site scores a Band B (Band A being the most sustainable and Band E the least sustainable). The site scores well in relation to its accessibility by bus and its links to the road and motorway network. It does not however have good access to a number of facilities and services such as schools and doctors. Its sustainability score is further reduced by the fact that the site is greenfield.
75. A core principle of the Framework is to encourage the effective use of land by re-using land that has been previously developed. This is not a previously developed site, but there is a limited supply of suitable and available previously developed land in Adlington, so the expectation is that some of the planned growth for the settlement will take place on Greenfield land. This site has been allocated and protected for future housing development through its inclusion within the emerging Local Plan.
76. The Local Plan Review has a number of housing objectives. Of most relevance to this application, and consistent with the Framework, is the objective relating to meeting the housing requirements of the whole community in both rural and urban areas including those in need of affordable and special needs housing.
77. In the adopted Core Strategy there are 5 Homes for All Strategic Objectives. Of particular relevance to this application are Objectives SO5 and SO8 which are consistent with the Framework:
- Objective SO5: 'To make available and maintain within Central Lancashire a ready supply of residential development land over the plan period, so as to help deliver sufficient new housing of appropriate types to meet future requirements. This should also be based on infrastructure provision, as well as ensuring that delivery does not compromise existing communities.'*
- Objective SO8: 'To significantly increase the supply of affordable and special needs housing particularly in places of greatest need such as more rural areas.'*
78. However, it is considered that the best way of achieving the Local Plan Review objective of meeting the housing requirements of the whole community and the Core Strategy objective of making available a steady supply of residential land is through the Development Plan process. This process gives supporters and objectors to all proposed housing allocations the opportunity to debate and determine future housing sites in the Borough. The emerging Local Plan has already been through significant consultation and is at an advanced stage and as such, in accordance with the Framework should be accorded some weight.
79. The emerging Local Plan Publication Version identifies the development site within phase 2 and phase 3 for development. It is anticipated that 46 dwellings will be brought forward within phase 2 and 146 within phase 3. It is anticipated that development will come forward on the site in a phased manner in accordance with the requirements of the phasing strategy. At both recent appeals, the inspector concluded that the release of the sites to which the appeal related would not set a precedent for the release of further safeguarded sites across Chorley.
80. The final criterion in paragraph 159 relates to ensuring that housing need within the Borough caters for housing demand and the scale of housing supply necessary to meet this demand.

1b) Core Strategy

81. In terms of the Core Strategy, Policy 1 supersedes Policy GN1 of the Local Plan but continues to identify Adlington in strategic land terms as one of six Urban Local Service Centres (ULSCs) where some [author's emphasis] growth and investment will be encouraged to help meet housing and employment needs in Central Lancashire.
82. The policy does not specify how much development should go in each ULSC. It has no housing requirement for individual settlements and there is no requirement for the split between settlements to be equal. It is considered the growth and investment cannot equate to an equal split between the ULSCs settlements as they have differing amounts of available and suitable developable land for housing.
83. Therefore the fact that Adlington is a location for some growth in broad spatial terms is acknowledged as a material consideration. The Core Strategy does not determine how growth is to be distributed between the six ULSCs; this is an issue for the emerging Local Plan.

1c) Local Plan (formerly Site Allocations & Development Management Policies DPD (Publication Version)

84. The 'Local Plan Publication Version' will be the subject of consultation commencing in October 2012. In accordance with the Core Strategy, the emerging Local Plan allocates preferred sites for housing in Urban Local Service Centres.
85. As stated above, the Core Strategy predicts that 9% of dwellings will be provided in the 6 Urban Local Service Centres in the Borough between 2010 and 2026 (amounting to 2,100 units) but states that these are predictions and not proportions that are required to be met. This figure is not intended to be split equally between the 6 Urban Local Service Centres as they all have a different amount of available and suitable land for housing development.
86. Between 2010 and 2011, 78 dwellings were developed in the Urban Local Service Centres, leaving a remaining 2,022 predicted dwellings to be provided in these areas. The emerging Local Plan allocates a number of preferred housing sites in these areas, which in total will provide for approximately 1,906 dwellings (613 of which have planning permission). An additional 163 dwellings have planning permission on other windfall sites in the Borough. This is a total of 2,069 dwellings which marginally exceeds the predicted Core Strategy provision to allow for any slippage such as non delivery or reduced housing delivery on sites.
87. The emerging Local Plan allocates land for 310 dwellings in Adlington. The area of Safeguarded Land covered by this application is a preferred housing allocation for 192 dwellings. This application is for up to 170 dwellings, slightly below the anticipated number
88. Policy HS2 of the emerging local Plan sets out a phasing schedule for the housing development on the site. In total 192 houses are proposed on the site with 96 dwellings proposed in the period 2016-21 and 96 dwellings in the period 2021-26.
89. The principle of housing development at this location is accepted through its continued allocation in the Local Plan Publication Version. The document is at an advanced stage, and therefore should be afforded limited weight with significant weight given to the allocation of this site which has been retained throughout the process.

1d) Masterplanning Approach

90. The Council has set out its desire to see the development of this site take place as part of a master planned approach. In reality, this application seeks permission for the overall development of the site as a whole and as such the applicant has submitted an indicative masterplan in support of this outline application. This masterplan demonstrates that the proposed number of dwellings and area of open space can be accommodated as well as retaining existing landscape features. The indicative masterplan has been viewed by consultees during the course of the application and no issues have been raised. It is therefore considered that the indicative masterplan is acceptable albeit some refining will be required at reserved matters stage.

1e) Prejudice

91. Whilst the Framework is silent on the issue of prematurity, Annex 3 of the Framework lists the revoked guidance documents. The Planning System: General Principles is not listed as a document which is revoked and as such the Council's view is that the guidance contained within this document is extant.
92. Paragraphs 17-19 of The Planning System: General Principles state:

'...in some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a DPD is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD. A proposal for development, which has an impact on only a small area, would rarely come into this category. Where there is a phasing policy, it may be necessary to refuse planning permission on grounds of prematurity if the policy is to have effect. Otherwise, refusal of planning permission on grounds of prematurity will not usually be justified. Planning applications should continue to be considered in the light of current policies. However, account can also be taken of policies in emerging DPDs. The weight to be attached to such policies depends upon the stage of preparation or review, increasing as successive stages are reached. For example: Where a DPD is at the consultation stage, with no early prospect of submission for examination, then refusal on prematurity grounds would seldom be justified because of

the delay which this would impose in determining the future use of the land in question.' [Authors own emphasis]

93. In recent appeal decisions at Clayton-le-Woods at Whittle-le-Woods, the issues of prejudice/prematurity was considered by the Inspector who concluded that the release of these sites at the current time would not prejudice the delivery of the strategic aims and objectives of the Local Plan/Core Strategy. The site to which this application relates is allocated within Phases 2 and 3 for release in the emerging Local Plan. This document is at an advanced stage and it can be concluded that this site will both be allocated and brought forward for residential development at some point in the future.
94. The developer has provided some information on the potential phasing of the development. It is estimated that the first houses will be delivered in 2014 at the earliest, potentially 2015. A build rate of 25-30 dwellings per annum will result in the development taking 5-7 years, completing at the start of phase 3 within the Local Plan Publication Version. This is not in accordance with the phasing schedule set out within the emerging Local Plan and agreement on the imposition of a condition relating to phasing is still an outstanding issue with the developer.

1f) Assessment of Proposal Against Final Criterion of NPPF Paragraph 159

95. Relating this back to the Framework the final criterion in paragraph 159 relates to ensuring that housing need within the Borough caters for housing demand and the scale of housing supply necessary to meet this demand.
96. The emerging Local Plan is at an advanced stage. The site of this application has been carried forward through the process of the production of the plan. It is therefore protected for house building for the plan period and it can be realistically assumed that this site will be brought forward for development at some point in the future. Should outline approval be granted, the developer still have to submit a reserved matters application and it is likely that the site will be sold on the open market. The applicant has indicated that the development may be brought forward ahead of the phasing schedule set out in the emerging local plan, however a condition can be applied to ensure that the development is brought forward in accordance with the emerging Local Plan phasing schedule, however agreement on this issue is still outstanding with the developer.

2) Other Material Policy Considerations

2 a) Urgency

97. It has also been assessed whether there is an urgent need to release this site. The Local Plan allows appropriate development within the Urban Local Service Centres however it does not specify housing targets for settlements within Chorley Borough and housing completion levels overall have been broadly in line with RS (acknowledging a small undersupply at April 2011).
98. In terms of 'steep increase' the Clayton-le-Woods appeal Inspector stated (with which the SoS agreed): *'Therefore, over the plan period 1810 [now 2100 new dwellings] new dwellings will be required in these ULSCs, all but one of which is in Chorley. In order to meet this planned growth, there would need to be a steep increase in housing delivery from now onwards. The area of Safeguarded Land that includes the appeal site is realistically the only land available in Clayton-le-Woods for delivering this growth'*. It should be noted that in fact all six ULSCs are in Chorley Borough, not all but one as stated by the Inspector.
99. In order to meet the predicted proportion of housing development in the ULSCs it is acknowledged that higher levels of house building will be required as a whole in the future in the six ULSCs as a whole than may have taken place in the past.
100. At the time of the Clayton-le-Woods appeal decision (21st July 2011) the Site Allocations DPD was at an early stage. Consultation had taken place on the Issues and Options but the Council had not reached Preferred Option Stage. The Council has now consulted on its Preferred Option so the DPD and the Publication Version will and consultation will commence in October 2012. It can therefore be afforded limited weight.
101. As well as identifying sites for allocation then publication document sets out a housing development phasing schedule at policy HS2 which had not been produced at the time of the Clayton-le-Woods appeal. This phasing schedule shows that the required number of dwellings can be achieved over then plan period and that the release for development of this site forms part of achieving the required dwelling numbers.
102. This shows that the sites proposed to be allocated have been properly considered and that they can be realistically built out over the plan period to achieve the level of housing required across the Borough to achieve the planned level of growth as required by the Core Strategy. The dwellings proposed and

already completed since 2010 in the six ULSC settlements marginally exceed the Core Strategy predicted proportions over the plan period to make allowance for any slippage (non-delivery or reduced delivery of housing) on sites. It is proposed to use a condition on any approval that ensures that the development will be brought forward in line with the emerging Local Plan. Whilst it can therefore be argued that there is no urgent need to release the site at this point, the condition would remove any harm that may result from granting planning permission at the current time. The developer, to date, however has not agreed to this phasing condition.

2 b) Ministerial Statement – Planning for Growth (now enshrined with the Framework):

103. The principles of this document are now enshrined within the Framework. Whilst this is supportive of growth and it states that the Government expects the answer to development and growth wherever possible to be 'yes', it had a caveat to it that states '*except where this would compromise the key sustainable development principles set out in national planning policy*'. The Secretary of State will take the principles in this statement into account when determining applications that come before him for decision. In particular it states the Government will attach significant weight to the need to secure economic growth and employment.
104. As has already been explored Chorley has good housing delivery performance which has not been as negatively affected by the economic climate. The general presumption of poor delivery nationally and therefore the need to stimulate the economy through housing delivery is not considered to apply with the same weight in Chorley as it may in other Boroughs.
105. The viability evidence underpinning the current consultation on a Central Lancashire CIL notes that a number of developers consider that the market for new houses in Chorley is in the short term over-supplied, and they are taking a more cautious approach to delivery linked more closely to sales. However the site is allocated for housing development and it is realistically considered that development will be brought forward on the site during the plan period. Therefore, in assuring that the necessary infrastructure is brought forward to accommodate this and future development it is not considered that the proposal will compromise the principals of sustainable development.

2 c) Localism

106. The Localism Agenda is being introduced through the Localism Act 2011 and post-dates the draft Framework and Planning for Growth. The Government's intention is to shift power from central government back into the hands of individuals, communities and councils. The Government state that they are committed to this because over time central government has become too big, too interfering, too controlling and too bureaucratic. This has undermined local democracy and individual responsibility, and stifled innovation and enterprise within public services. They want to see a radical shift in the balance of power and to decentralise power as far as possible.
107. The proposed allocation has been consulted upon during the production of the Site allocations DPD and the document is now at an advanced stage. The allocation of the land as safeguarded land has remained following this consultation.

2 d) The Community Infrastructure Levy (CIL)

108. The Localism Act received royal assent on 15 November 2011. Some of its provisions came into force on 16th January including Section 143 which brings in provisions that where local finance considerations are material to a planning application they should be taken into account in the determination of that planning application.
109. Infrastructure is a key component of any assessment of sustainability, and cumulative impacts can arise from the overall development proposed within a development plan. The Community Infrastructure Levy (CIL) is a new charge which local authorities in England and Wales will be able to levy on most types of new development in their areas over a certain size. The proceeds of the levy will provide new local and sub-regional infrastructure to support the development of an area in line with local authorities' development plans and could include new schools, hospitals, roads and transport schemes, as well as libraries, parks and leisure centres. The government's position on CIL is that it provides a basis for a charge in a manner that obligations alone cannot achieve, enabling, for example, the mitigation from the cumulative impacts of a number of developments. The government acknowledges that even small developments can create a need for new services. Until such time as a CIL charge is set, obligations must be addressed under s106 agreements, and the relevant tests.
110. Strategic Objective S02 of the Core Strategy seeks to ensure there is sufficient appropriate infrastructure to meet future needs, funded where necessary by developer contributions. Chapter 6:

Infrastructure refers to the tariff approach, noting that further research and consultation is required, and that the key to avoiding adverse impacts of new developments on existing and new communities is the timely provision of the necessary infrastructure and other mitigation measures. Policy 2 refers to the application of a levy/tariff based on standard charges as appropriate, noting that "This will ensure that all such development makes an appropriate and reasonable contribution to the costs of provision after taking account of economic/viability considerations." The policy also notes that LPAs "will set the broad priorities on the provision of infrastructure, which will be linked directly to the commencement and phasing of developments. This will ensure that enabling infrastructure is delivered in line with future growth, although some monies will be specifically collected and spent on the provision of more localised infrastructure."

111. On 31st January 2012, the Central Lancashire authorities began preliminary draft consultation on a Central Lancashire CIL, which ran until March 2012. A further four week period of consultation commenced on the 19th October 2012 on the CIL proposals.
112. Infrastructure delivery schedules have been prepared and these show a range of infrastructure projects including those regarded as "Pan-Central Lancashire" as well as for the three separate borough areas of Chorley, Preston and South Ribble. A tariff of £70 per sq m of residential development is proposed.
113. The applicant has expressed an intention to provide up to 170 dwellings on the site. If the homes provided had an average size of 90 square metres this would equate to a CIL contribution of £6,300 per dwelling calculated at a rate of £70 per square metre. If 119 market houses were built (allowing for 30% affordable housing) on this site this would equate to a CIL contribution of £749,700 for this site.
114. While it is not argued here that the absence of a CIL contribution should be a reason for refusal per se, the CIL infrastructure delivery schedules demonstrate the wider infrastructure needs that arise from the planned growth for Central Lancashire.

3) Affordable Housing

115. Core Strategy Policy 7, requires 30% affordable housing on market schemes in non-rural areas of Chorley.
116. The Core Strategy Policy 7 states that affordable housing should be delivered on site, but financial contributions instead of on site affordable housing are acceptable where the development location is unsuitable for affordable housing. It is considered that this location is suitable for affordable housing and that it should be provided on site. No evidence has been put forward by the applicant that the site is unsuitable for affordable housing.
117. The application states, in the Draft Heads of Terms submitted with the application, that the developer will provide 30% of the dwellings to be constructed on the land as Affordable Housing.
118. Following consultation with the Housing Manager it is considered that any affordable housing on this site should be split as follows:

Tenure: 70% for Social Rent and 30% for Intermediate sale i.e. shared ownership

Mix:

- ☐ **Social Rented homes** (assuming total number of homes provided is 170)

36 homes in total as follows:

4 x 2 bed bungalows

30 x 2bed houses

2 x 4bed houses

- ☐ **Intermediate Sale** (shared ownership)

15 homes in total as follows:

5 x 2bed houses

10 x 3bed houses

- ☐ In terms of location the affordable units should be dispersed across the development.
- ☐ All the affordable homes should comply with HCA HQI standards.

- ☐ All of the affordable homes should be transferred to one Affordable Housing Provider /Registered Provider who is a member of the Select Move choice based lettings system and who has an existing management presence in the borough/area e.g. Adactus /CCH or Places for People Housing Group

119. Additionally, as this application is outline in nature and proposes up to 170 dwellings an affordable housing contribution will be include within the Section 106 Agreement in the event that the affordable housing percentage does not equate to a whole number.

120. If the application site were to be developed, the site would provide a significant proportion of the future housing supply for Adlington over the Core strategy period. As such, it is considered affordable housing should be provided on site in order to help deliver a sustainable mixed community. The site provides a realistic opportunity for the provision of affordable housing, unlike on some smaller sites, which are below the current and proposed affordable housing delivery size threshold.

4) Policy Conclusion

121. On basis of all the information preceding a balancing exercise needs to be done.

122. The proposal would be in breach of the Safeguarded Land policy DC3, this Policy is consistent with the Framework. Whilst the Council consider that this Policy should be afforded significant weight, this is not the view taken by the Inspectors at the recent appeals at Lucas Lane and Wigan Road and as such it acknowledged that this policy must be read in the context of other material considerations that may be more up to date.

123. Adlington, on a broad strategic level, is identified as a location for some growth which is acknowledged as a material consideration and given significant weight in decision making. The Local Plan Publication Version sets out how growth is to be distributed between the six ULSCs, and proposes the site as a safeguarded land allocation which is likely to be brought forward in phases 2 and 3, commencing in 2016 and 2021 respectively.

124. The appeals at Wigan Road, Clayton-le-Woods in July 2011 and Lucas Lane, Whittle-le-Woods, July 2012 for the development of safeguarded land sites are material considerations in the consideration of this proposal. At both Inquiries it was established that Chorley had an established five year supply of housing but that ultimately that the release of the site would not be premature, prejudice the plan making process or result in material harm.

125. The developer suggests that some of the proposed dwellings may be brought forward ahead of the proposed phasing strategy as set out in the Local Plan Publication Version, however by phase 3 delivery the proposals will be in accordance with this schedule. Given the identified need for growth identified by the Inspector at both recent appeals, it can be argued that the proposal will not result in harm should permission be granted now but with a condition requiring that phasing is in line with the emerging Local Plan. A matter still outstanding with the developer.

Assessment

(a) Principle of development

126. The site is allocated as safeguarded land within the existing Local Plan and is proposed for allocation within the emerging local plan. The purpose of this allocation is to identify land that will come forward at for development at a future date. It is therefore considered that the overarching principle of residential development on this site is established.

(b) Background Information

127. A previous application for 300 dwellings on the site was withdrawn. At the time of this application a larger area of land was proposed for development and the emerging Local Plan was proposing the site for mixed residential and employment development. Whilst the application was considered contrary to policy at the time, it was withdrawn due to land ownership issues. The part of the site to which the land ownership issues relates has been removed from the current application.

(c) Housing Development

128. The development relates to the erection of up to 170 dwellings on the site. The application is outline in nature with all matters reserved save for access. The siting of the properties is not being considered as part of this application, although an indicative layout plan has been submitted that demonstrates that the number of dwelling on which permission is sought can be accommodated on the site.

(d) Density

129. The site covers an area of 7.3 hectares. The application is for the development of up to 170 dwellings. The applicant states that the developable area of the site (ie that excluding formal and informal play space and natural constraints will be 4.86 hectares. The density of the proposed development will therefore be 35 dwellings per hectare.
130. Core Strategy policy 5 states that densities will be sought that reflect and are in keeping with the local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental impact of an area, consideration will also be given to making the most efficient use of land.
131. The density proposed is considered to be acceptable when considered against the surrounding urban area to the north and west of the site which are characterised by a mixture of housing types.

(e) Design

132. The design of the proposed properties is not being assessed as part of this application and would be addressed as part of any future reserved matters application. No comments have been received from the Councils Policy and Design Team leader. Any comments will be reported on the addendum report.

(f) Levels

133. The site is undulating in a nature and varies in terms of levels to those properties adjacent to it to the north and east. The applicant has indicated that the maximum height of houses proposed on the site will be 3 storeys, maximum of 12m in height. Given the significant difference in levels across the site then the layout at Reserved Matters stage will need to ensure that the design represents the levels change across the site in terms of impact to the surrounding area.

(g) Impact on the neighbours

134. The main neighbouring impacts are likely to be to properties along Bolton Road and Belmont Road whose properties border the proposed development. The exact layout at interaction between these properties and those proposed is a matter for detailed consideration at the Reserved Matters Stage, however the indicative layouts and tree survey proposed confirm that the existing thick tree belts that run between these properties and the development will be retained and bolstered and that residential property will be further separated by 'lanes' to the site boundaries.

(h) Open Space

135. An Open Space Strategy and Playing Pitch Strategy were published in May and June 2012 respectively in accordance with the Framework that requires an up to date assessment of the need for open space, sports and recreation facilities and opportunities for new provision.
136. The applicant is only proposing 2.14 hectares of public open space in the form of a linear park. Whilst this includes some existing woodland the amount that would be required under the new strategy would be 0.29 hectares.
137. In terms of equipped play space, the amount required under the Open Space Strategy is 0.03 hectares. The applicant is proposing 0.1 hectares.
138. In terms of playing pitches, the Playing Pitch Strategy identifies a deficit of 29.06 hectares of playing pitches which can predominantly be met by improvements to existing pitches. In line with the recommendations of the Playing Pitch Strategy a contribution of £264,375 is required for a development of this size. The developer is aware of this requirement and as yet agreement to this contribution remains unconfirmed.

(i) Trees

139. The application site is a greenfield site which is characterised by large open fields separated by mature hedgerows and trees. The application is accompanied by an Arboricultural report which makes an assessment of the mature trees on the site.
140. In total 8 individual trees and 7 groups of trees were assessed. Of the trees assessed 2 individual trees and 3 groups of trees were identified as high quality and value, 4 individual trees and 2 groups of trees were identified as moderate quality and value, 3 individual trees and 2 groups of trees were identified as low quality and value. No individual trees were identified for removal, however a small number of trees forming part of a group were in poor physical condition.

141. The submitted report confirms that the layouts of the residential parcels have been designed around the natural features of the site and the principal built infrastructure components and access points have attempted to limit tree loss. However it is acknowledged that there will be some tree loss across the site.
142. The highest tree losses to facilitate the development would be for the access point at the northern boundary leading off Bolton Road and the minor spur road serving the first residential parcel. Two groups of trees were assessed in this area as part of the tree survey. It is anticipated that the majority of TG6 will be retained. The report concludes that any tree losses incurred as part of the road access would be adequately mitigated for through replacement tree planting.
143. There will also be need to remove a small number of trees to make the necessary gaps for road links through to the new residential areas across the existing tree belts. Tree losses for links would possibly involve the loss of T5, retention category c; possibly several further specimens to either side of T5 and part of TG4; several trees to the side of T6 for the main vehicular connection and possibly a small number of trees within TG5 in the vicinity of the "gap" that already exists.
144. As the report does not identify the extent of the precise tree loss required to necessitate the development which will be confirmed at reserved matters stage, in the event of a positive decision, a Tree Preservation Order has been placed on the trees with high and moderate value which will ensure their future retention and/ or ensure adequate mitigation for any losses.

(j) Landscape

145. The applicant has submitted a Landscape and Visual Impact Assessment in support of the application.
146. The site itself is characterised by open greenbelt land, punctuated by mature tree belts and hedgerows. The undulating landscape offers long range views as far as Blackrod Church, Rivington Moor and Rivington Pike.
147. The document concludes that there will be moderate impact on the residents of Bolton Road in terms of visual impact and minor adverse impacts on the residents of Huyton terrace.
148. Whilst it is acknowledged that there will be some impact on views out of and into the site as a result of the development. The site is safeguarded land for future development and as such it is accepted that the landscape of the site will be subject to change. The detailed layout and design of the properties is a matter for consideration at the Reserved Matters stage.
149. The Council's parks and Open Spaces Officer has commented on the proposals and has made the following comments:
- ☐ The landscape and visual appraisal has been carried out in accordance with the Guidelines for Landscape and Visual Assessment and gives a good overview of the issues pertinent to the site. I have no comments in relation to the findings which acknowledge that there will be short term adverse impacts to the visual amenity of a limited number of local residents but these should be mitigated in the long term by the planting strategy.
 - ☐ The open space and footpath network makes maximum use of the existing landscape structure and links well with the wider footpath network. This is good practice and seems an appropriate provision considering the scale of development proposed.

(k) Ecology

150. As set out above Lancashire County Council (Ecology) raise no objections in principle to the proposals, subject to the use of recommended conditions and informative and have made the following specific comments.

European Protected Species: Bats

- ☐ Surveys did not find any evidence of bat roosts within the application area, despite the presence of bat boxes and some trees with potentially suitable features. Precautionary mitigation measures for the avoidance of impacts on bats during tree works are proposed however (appendix 7: Method Statement for Tree Works) and should be implemented by planning condition.
- ☐ Surveys found that the site is used by foraging and commuting bats, with the majority of activity associated with linear features. The illustrative masterplan does indicate that the majority of the existing features of value to bats would be retained. It therefore seems reasonably unlikely that the proposals would result in significant impacts on foraging habitat or habitat connectivity for bats at this

site. Provided sufficient foraging and commuting habitat can be retained, and protected from artificial illumination/light pollution, the proposals will not result in adverse impacts on bat populations locally.

European Protected Species: great crested newts

- ☐ Surveys found no evidence to suggest that great crested newts would be present within the application area, although ponds did support other amphibians and there are suitable terrestrial habitats within the application area. I am satisfied that the proposals do not have any implications for great crested newts or their habitat.

Badgers

- ☐ Surveys did not find evidence of badger setts within the application area, but the report acknowledges that badgers do use the site. Mitigation measures during construction and operation of the development are proposed. These appear appropriate and should therefore be implemented by planning condition.

Nesting birds

- ☐ A reasonably large number of bird species was recorded using the site, the majority associated with woodland and hedgerows but also using grassland and wetland areas for foraging. It will clearly be important that impacts on nesting birds (offences) are avoided during construction.
- ☐ Additionally, and to ensure that the proposals do not lead to declines in biodiversity (including Species of Principle Importance, see below), it will be important to ensure that adequate bird nesting and foraging habitat is retained and protected within the development. The Illustrative Masterplan indicates that the main bird nesting habitats would be retained and enhanced within the development. There is also the opportunity to incorporate additional nesting opportunities (such as house sparrow terraces, and other bird boxes). These matters can be dealt with by planning condition.

Water vole

- ☐ Although there was no evidence of water voles within the application area at the time of survey, the presence of suitable habitat and the fact that water voles are known to be present in the wider area does not preclude the possible presence of this species at some future date. Precautionary mitigation is therefore proposed, including a re-survey prior to works and the development of mitigation proposals, if required. This is appropriate and should be implemented by planning condition.

HABITATS AND SPECIES OF PRINCIPLE IMPORTANCE (SECTION 41 NERC Act 2006)

- ☐ ODPM Circular 06/2005 indicates that UK Biodiversity Action Plan Priority Species and Habitats (Species and Habitats of Principal Importance, NERC Act 2006) are capable of being a material consideration in the making of planning decisions.

Hedgerows

- ☐ The majority of hedgerows within the application area are species-poor, with the exception of hedgerow H2 which was considered to qualify as 'important' under the Hedgerow Regulations 1997. However, all are Habitats of Principle Importance and it will therefore be important to ensure that the hedgerow resource is adequately maintained. The Illustrative Masterplan does appear to indicate that the majority of hedgerows would be retained, or that there could be adequate replacement planting/enhancement to offset losses. Details of the treatment of hedgerows can be addressed as part of the landscaping/habitat management scheme for this site.
- ☐ Lowland Mixed Deciduous Woodland: according to the ecology report the semi-natural woodland within the application area can be classified as a priority habitat type. The Illustrative Masterplan indicates that the majority of this feature would be retained within the development although it will be damaged in part to facilitate development. Measures for the long-term protection and enhancement of this habitat can be dealt with by the landscaping/habitat management scheme.
- ☐ Species of Principle Importance within the application area include bats, linnet, song thrush, reed bunting, house sparrow, starling, marsh tit and dunnoek. From the information it seems unlikely that the proposals would result in significant adverse impacts on these species or their habitat.

INVASIVE AND INJURIOUS WEEDS

- ☐ According to the ecology report, the application area supports species listed in Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), including Japanese knotweed, Himalayan Balsam and Rhododendron. It will therefore be appropriate for the applicant to adopt working methods to prevent the spread of these species as a result of development.

LIGHTING

- ☐ Planning decisions should limit the impact of pollution from artificial light on nature conservation (Framework paragraph 125). See also bats above.

HABITAT CREATION AND LANDSCAPING

- ☐ Planning decisions should address the integration of new development into the natural environment (Framework paragraph 61) and opportunities to incorporate biodiversity in and around developments should be encouraged (Framework paragraph 118). In this case, the Illustrative Masterplan indicates that the areas of greatest biodiversity value would be incorporated into the design of the development, losses (e.g. ponds) would be compensated; and the proposals could result in an enhancement of biodiversity value (for some species, at least).
- ☐ Landscaping and habitat creation schemes should therefore comprise native species and habitats appropriate to the locality. Appropriate guidance is given in Lancashire County Council's Supplementary Planning Guidance on Landscape and Heritage

(l) Flood Risk and Drainage

151. The application has been accompanied by a Flood Risk Assessment which has been assessed by the Environment Agency. The Environment Agency has no objection to the proposals subject to the addition of a number of conditions to any grant of permission.

(m) Traffic and Transport

152. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway and have offered the following initial highways and transport observations based on the planning information that has been provided to date; including the Transport Assessment (TA) and Travel Plan (TP) produced by Ashley Helme Associates (AHA), Planning Statement produced Fox Land & Property Ltd and a Design & Access Statement produced by FPCR, all dated July 2012.

Proposed Site Access Arrangements It is proposed a new priority junction to serve the development as illustrated on Drg No 1249/07 Rev B "Proposed Access Arrangements". It is proposed to use land presently occupied by properties 74 and 76 Bolton Road to provide access to the Site.

- ☐ The design of the priority controlled junction in general accords with current national guidance and advice provided in the 2007 'Manual for Streets'(MfS) and the complementary 'Manual for Streets 2' (MfS2), however a number of small amendments have been requested.

Emergency Access

- ☐ It is proposed to provide a 3.7m wide pedestrian/cycle link between Site access road and the existing Huyton Lane, which is located circa 40m to the east. Huyton Lane is a public footpath and also provides vehicular access to the properties on Huyton Terrace. It is proposed that the 3.7m wide pedestrian/cycle link will also provide an emergency access link to Bolton Road via a circa 25m section of the existing access track, as indicated on AHA Drg No 1249/07 Rev B. There are no issues in principle with this proposal; however, it is not clear how vehicular access from Huyton Lane (by non-emergency vehicles) will be controlled and or prohibited. Amended plans should include control measures that can be subject of an appropriate condition.

Sustainable Transport

- ☐ The Highway Engineer considers that it is essential where possible and practicable that the development support sustainable transport and communities. The development must ensure that cycling and pedestrian movements are catered for on suitable desire lines; this also applies to public transport forming part of a fully sustainable service (satisfying the full needs of the development including adequate frequency for both weekday and weekend).

Cycle/Pedestrian Linkages

- ☐ The developer proposes measures to enhance pedestrian infrastructure, as part of the development proposals. It is proposed to provide two new pedestrian accesses on Bolton Road and a pedestrian link to Huyton Road to the south of the Site via the existing public footpath. The developer further proposes to fund an improvement to the existing public footpath which runs through the Site. The TA

states "improvements will include for example: upgraded surface material, fencing, signage and the introduction of street lighting where appropriate. This is subject to discussion/agreement with LCC". While I welcome the developers offer, this detail has not been agreed. Given the lack of good quality direct routes to the south I would seek improvements for PROW footpath 8 on Huyton Lane to be upgraded to a full shared pedestrian/cycle facility. Lancashire County Council Public Rights of Way Officer has not objected to the proposals subject to an informative being added to any approval.

☐ The developer also proposes to fund the introduction of a Zebra crossing on Bolton Road in the vicinity of the site and pedestrian/cycle improvement works at the existing Bolton Road/Chorley Road/Railway Road/Babylon Lane junction including advance cycle stop lines and lead-in cycle lane on the approach to all arms of the junction; together with the provision of pedestrian crossing facilities on the Railway Road/Babylon Lane arms of the junction. The applicant has been advised of the need for MOVA signal technology to optimise signal timings and minimise potential queuing that may result from the developments traffic.

- ☐ The Highway Engineer also considers the following to facilitate sustainable development of this site:
 - ☐ The proposed Zebra pedestrian crossing facility on Bolton Road, A673 to improve links from the site to St Joseph's School and to local services east of Bolton Road, should be a PUFFIN type signal controlled crossing.
 - ☐ A cycle path provided linking to Huyton Road. This would give access from the development to employment/services in the western part of Adlington and National Cycle Route 55 on the canal. As suggested by the developer, I encourage the upgrading of PROW (Footpath 8) through site from Bolton Road to Huyton Road south of the railway bridge. This will require surfacing and lighting, the design under the Main West Coast railway bridge might need altering, and the industrial part of Huyton Road might need footway Improvements, (in addition to the lighting issue AHA identified).
 - ☐ Cycle parking improvements at Adlington railway Station; the provision of secure cycle storage for 10 cycles to encourage residents to catch the train to Preston, Liverpool, Chorley, and Manchester. This would be a particular benefit for school pupils/students in addition to commuters.
 - ☐ Developer funding to facilitate a pedestrian/cycle link to the Grove Farm development to establish a direct access route north to Railway Road. The availability of a link for pedestrians/cyclists to the railway station and local services (south Railway Road area) would seem very important to make the development sustainable. The level of funding to be agreed, but this should at least cover potential construction costs.

Public Transport

- ☐ The key requirements on the layout of developments served by buses are indicated below:
 - ☐ The bus service should be attractive to users of the development
 - ☐ Entry & exit points should be compatible with local bus network
 - ☐ The proposed road layout should allow a direct route through the development
 - ☐ The maximum walking distance to a bus stop should not exceed 400m and preferably no more than 300m.
- ☐ The delivery of a suitable a bus route diversion off A673 through the site is not feasible due to single access point and hence the development would not meet some criteria above. However, the site has the advantage to be located off the A673 which benefits from a frequent (approximately 10 minute during the weekday daytime) express service between Bolton and Preston, calling at Chorley and Horwich. There are existing bus stops located close to the site access and most properties on the illustrative site masterplan will be within 300m walking distance to a bus stop on A673; and only a limited number of properties at the southern margin of the site would exceed (but not considerably) the 400m maximum walking distance to the bus stops identified above.
- ☐ The developer in the TA has committed to the provision of the upgrade of the two existing bus stops closest to the site access junction on Bolton Road, A673, (one in each direction) to Quality Bus Standard incorporating real time passenger information.
- ☐ There appears to be adequate spare capacity on existing bus services to accommodate custom from the development, and in these circumstances, I would not seek further developer obligation

regarding public transport, subject to the provision of MOVA signal technology at the Railway Road/Babylon Lane junction identifies above.

Travel Plan

- ☐ The majority of the content within the submitted Interim Travel Plan is acceptable. However, there are a number of points that need to be addressed. A number of conditions have therefore been requested to deal with these including further survey work prior to and following occupation of the dwellings.
- ☐ Highways have confirmed that for a development of this size a contribution of £12,000 would be requested to enable Lancashire County Council Travel planning team to provide a range of services. The applicant has agreed to this request.

Mitigation

- ☐ The Highway Engineer has confirmed that they have assessed the information submitted and consider that the following supporting measures are required to reduce the impact and influence of this development to deliver sustainable development. The Developer will enter into a Section 278 agreement to undertake a number of works in conjunction with LCC including number crossings, junction improvement works, improved cycle and pedestrian facilities upgrading bus stops. The final layout of these proposals will be subject to detailed design.

The Highway Engineer has also confirmed that s106 contributions are required to make the development acceptable:

- ☐ Sustainable Transport Contribution to implement changes to limit the negative impact on the existing, at times congested transport network.
- ☐ Bus Service Provision which should be progressed via the s278 agreement as identified above and not via the s106.
- ☐ Funding of Pedestrian and Cycleway Improvements towards works that support the sustainable linkages from the edge of the proposed site to the wider network. Funding should be secured to provide the pedestrian and cycle improvements identified in the "Cycle/Pedestrian Linkages", section above.
- ☐ Travel Plan Funding to support the measures and achieve the targets of the Full Travel Plan. £12,000 has been requested.
- ☐ A sustainable transport contribution of £210.00 per dwelling, and utilised (if required), to achieve the targets set within the agreed Full Travel Plan, such as personalised Travel Planning.

LCC Highways Conclusion

153. The Highways Engineer has confirmed that Lancashire County Council as LHA would not object to this development proposal on condition that appropriate S106 planning obligations, as detailed above, are provided by the developer and that all agreements with respect to all highway and related works are progressed and delivered to the satisfaction of the LHA.

154. However, he has stressed that the Section 278 works on their own, without the sustainable links from the site and on to the wider highway network, will not provide the level of mitigation necessary to make this development acceptable to the LHA.

155. The developer has submitted plans that have dealt with all issues raised by the applicant in relation to the site access and the emergency access. The Highway Engineer has confirmed that he is satisfied with what has been submitted.

156. In terms of the other Section 106 Agreement works and Section 278 works required to make the development acceptable. The developer has agreed to the £12,000 contribution to the implementation of the Travel Plan and has provided justification with regard to the £210 per household for personalised travel planning. In terms of the other works, Highways have provided cost estimates for the work to the developer and has requested confirmation that these are acceptable. No response has been received from the developer and the issue remains outstanding.

(n) Public Right of Way

157. The Public Rights of Way Officer has viewed the proposals and has made a number of comments relating to the developers obligations with regard to Public Footpath no's 7 & 8, Adlington. No objection has been raised to the proposal however a number of informatives have been provided should the application be approved.

(o) Contamination and Coal Mines

158. The applicant has completed a Phase 1 Desk Study Investigation (Ref: KB488-07/AES/HB). The Councils Waste and Contaminated Land Officer is satisfied with the results of this survey and is in agreement with the recommendation within that report that a Phase 2 Intrusive Site Investigation is carried out.

159. The Environment Agency has also commented on the Phase I Desk Study and have not raised any objections to the proposals but have requested a number of conditions be added to any approval.

(p) Sewers

160. No comments have been received from United Utilities in relation to sewerage and drainage on the site. They also did not provide any response on the former application on the site for 300 dwellings that was withdrawn earlier this year. The applicant has submitted a Flood Risk Assessment which deals with drainage and sewerage. This document has been considered by the Environment Agency who have not made any objection to the proposals but have requested informatives relating to the drainage issue. Whilst no concerns have been raised from the EA United Utilities will be contacted again and their response reported on the addendum report.

(q) Section 106 Agreement

161. Due to the nature of the development a Section 106 Agreement will be required to secure the necessary planning obligations resulting from this development in accordance with the tests set out in the Framework, as follows:

- ☐ Necessary to make the development acceptable in planning terms
- ☐ Directly related to the development
- ☐ Fairly and reasonably related in scale and kind to the development

162. In respect of the current application, this would include:

- ☐ Up to 30% affordable housing on a 70/30 split in terms of social rent and sale (plus financial contingency)
- ☐ Mitigation in respect of environmental impacts (still to be identified)
- ☐ A contribution of £698,139 towards the creation of 60 Primary School Places
- ☐ A contribution of £12,000 for implementation of the Travel Plan
- ☐ Further contributions towards sustainable transport as identified by the Highways Authority:
 - a. The improvement of the existing PROW (continuation of Huyton Road south of Huyton Terrace). As indicated on Drg No 1249/24 Section B-E, including lighting is estimated to cost of £70K
 - b. The provision of a pedestrian/cycle link from the site to the Grove Farm development, (to facilitate direct access to Railway Road) is estimated to cost £20K. The funding would be returned to the developer if work on the link as not commenced within 3 years of the first residential occupation on the site.
 - c. Adlington railway station; the provision of secure cycle storage for approx. 10 cycles. Estimate for an enclosed/secure cycle store structure within the station complex is £20K.
- ☐ Management of Open Space
- ☐ Contribution of £264,375 towards playing pitch provision.

163. The applicant has been advised of these requirements. The developer has not confirmed that they will agree to the Education, Highways or Open Space Contribution and these matters remain unresolved.

(r) Crime and Safety

164. The proposals have been assessed by the Police Architectural Liaison Officer who has made the following comments:

165. The above planning application consultation is for a residential development of up to 170 dwellings. During the period 17/08/2011 to 17/08/2012 there have been recorded crimes and incidents within this location. These include burglary in a dwelling and vehicle crime. The Design and Access statement makes reference to designing out the opportunity for crime at the site which is supported, this includes:-

- ☐ Buildings will be located to actively face streets and public areas in order to promote 24 hour surveillance, and to encourage safer places.
- ☐ Public areas such as the Streets and Play Area will be designed so that they are safe, easily accessible and attractive to use. It is important that there is good surveillance of public spaces by a number of properties and buildings, and those barriers, blank walls and 'dead ends' are avoided.
- ☐ Locating windows and doors on corners, or gable ends is a key principle, and occurs within the local context. Across the whole development careful attention will be paid to designing out crime through the layout, and promoting privacy and security.

There are a number of public open spaces within the development eg area 9 – these must be carefully designed so as to ensure they are used appropriately eg the play area should be secured with 1 m high railings and secure gated access. Further details on secure play areas can be found at www.securedbydesign.com

As the scheme progresses I would recommend further input with an Architectural Liaison Officer in respect of the following:-

- ☐ Detail of dwelling elevations and boundary fencing arrangements.
 - ☐ Landscape Plan – given that the site is surrounded by woodland and the potential issues this creates relating to natural surveillance.
 - ☐ Cycle path and footpath lighting.
- ☐ The application is currently outline in nature and these issues relate to more detailed design issues. They should be addressed in detail by the applicant at reserved matters stage.

(s) Public Consultation

166. The applicant has carried out a full consultation exercise and has submitted a Statement of Community Consultation in support of the application. The document outlines the stakeholders who have been directly consulted on the application, including the Town Council, local head teachers and health care providers.
167. The developer also attended a meeting of the Town Council and arranged two consultation events for local residents.

(t) Sustainability

168. The applicant has submitted a Renewable Energy Statement. The document outlines how the proposals will accord with the requirements of the Sustainable Resources SPD. This document has since been superseded by Policy 27 of the Adopted Core Strategy. The applicant is proposing that Code Level 3 will be achieved. Policy 27 requires Code Level 4 from January 2013 and Code Level 6 to be achieved from January 2016. The requirements of this policy will be met at the Reserved Matters stage. Whilst sufficient information has been submitted at this stage a suitably worded condition will need to be attached to any reserved matters planning permission to ensure that the requirements of Policy 27 are achieved.

(u) Waste Collection and Storage

169. The Waste Officer has raised no objection to the proposed development. The application is outline in nature with all matters save for access reserved. The indicative masterplan indicates that all the dwellings on the site will be individual, with no apartments. There is therefore no indication that communal bin stores/refuse collection would be required. A condition can be attached that requires details of waste storage and waste collection at Reserved Matters stage.

Overall Conclusion

170. The proposal would be in breach of Safeguarded Land Policy DC3b which the Planning Authority considers is in accordance with the Framework. This is not, however, the conclusion that the Inspectors drew at the time of the most recent appeals on Safeguarded sites in the borough despite the existence of a five year deliverable supply of housing. As such the Council acknowledges that this policy must be read in the context of other material considerations that may be up to date.
171. The land is allocated and protected for housing development through its inclusion within the emerging Local Plan. It can therefore be assumed that the site will be brought forward for housing at some point in the future and its continued inclusion through the process of the plan production indicates that it should be afforded significant weight.

172. Following the approval at appeal of 300 houses on the south of the safeguarded site, the Local Plan Publication Document suggests that the site be released within phases 2 and 3 which commence in 2016 and 2021 respectively. The applicant has indicated that the proposal may be brought forward ahead of this phasing schedule. A condition could be added to any approval to ensure that it is brought forward in accordance with any phasing schedule in the emerging Local Plan or subsequent overriding policy, however the developer has not agreed with this condition and the issue remains outstanding.
173. A number of s106 requests have been made of the applicant to mitigate against harm that may result from the proposal. The applicant has agreed to the contribution of 30% affordable housing and a £12,000 contribution to implement the Travel Plan, however agreement to contributions in relation to Education, Highways and Playing Pitches remain unconfirmed and outstanding by the applicant.

Other Matters

Planning Policies

National Planning Policies:

National Planning Policy Framework
Regional Strategy for the North West

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, DC1, DC3, EP2, EP4, EP9, EP10, EP17, EP18, EP21A, EP22, EP23, HS1, HS4, HS5, HS6, HS19, HS20, HS22, TR1, TR4, TR18 and TR19

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

Emerging Site Allocations and Development Management DPD – Local Plan Publication Version

Joint Core Strategy

Polices: 1, 2, 3,5,7,14,17, 22, 27

Planning History

Ref: 12/00082/OUTMAJ **Decision:** WDN **Decision Date:** 7 June 2012

Description: Outline planning application for the development of land to the south of Bolton Road, Adlington for the erection of up to no. 300 dwellings and associated open space with all matters reserved, save for access.

Ref: 12/00738/SCE **Decision:** PESCEZ **Decision Date:** 10 August 2012

Description: Screening opinion for the development of the land for up to 170 dwellings, demolition of 74 and 76 Bolton Road, formation of new access, landscaping, open space, highways and associated works.

Recommendation: Permit subject to legal agreement Conditions

1. Each dwelling hereby permitted shall be constructed to achieve the relevant code for Sustainable Homes level required by Policy 27 of the Adopted Central Lancashire Core Strategy or in accordance with national standard postdating the Core Strategy at the time of construction. The current requirements to be completed are as follows: Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 1st January 2013 and Level 6 for all dwellings commenced from 1st January 2016 and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies. *Reason: To ensure that the development is in accordance with Policy 27 of the Adopted Central Lancashire Core Strategy.*

2. Before the development hereby permitted is first commenced, full details of the reserved matters to be approved (namely the siting, design, landscaping of the site and the external appearance of the dwellings) shall be made to the Council before the expiration of five years from the date of this permission and the development hereby permitted shall be begun three years from the date of this permission. *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. No development shall take place until a scheme of landscaping, to include habitat creation, enhancement and management) for each phase of the development has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail that may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of the development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; detail and change of ground level or landform, mitigation/compensation proposals outlined in the report 'Bolton Road, Adlington Lancashire, Ecological Assessment' (FPCR Environment and Design Limited, July 2012): paragraphs 4.32, 5.11, 4.38-4.40 (habitats and habitat connectivity), 4.41 (SUDS). 4.44 (bat roosting opportunities), 4.45 (breeding bird opportunities) and 4.46 (long terms management proposals). the scheme shall demonstrate maintenance and enhancement of the biodiversity value of the site. Thereafter, landscaping shall be carried out in accordance with the approved details. *Reason: In the interests of amenity of the area and in accordance with Policy GN5 of the Chorley Local Plan Review and Policy 17 of the Adopted Core Strategy and to ensure opportunities for biodiversity maintenance and enhancement of the site.*

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground surfacing materials has been submitted to and approved in writing by the Local Planning Authority, for each phase of the development. The development shall only be carried out in accordance with the approved details. *Reason: To ensure a satisfactory form of development in the interests of visual amenity of the area and in accordance with policies GN5 and HS4 of the Chorley Local Plan Review and Policy 17 of the Adopted Chorley Local Plan Review.*

5. All seeding, planting and turfing comprised in the approved details of landscaping as set out in condition XXX shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is sooner. Any trees or plants which within a period of five years from the completion of the development die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interests of the appearance of the locality, in accordance with Policy GN5 of the Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

6. Due to the size/scale of the development and sensitive end use (residential housing with gardens), no development shall take place until:

- ☐ A methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigations and assessment shall be carried out in accordance with current best practice including British Standard 10175:2011 'Investigation of Potentially Contaminated Sites – Code of Practice.' The objectives of the investigations shall be, but not limited to, identifying the type(s, nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the boundary of the site;
- ☐ All testing specified in the approved scheme (submitted under a))and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- ☐ The Local Planning Authority has given written approval to any remediation proposals (submitted under b)), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a Validation Report containing and validation sampling results shall be submitted to the Local Planning Authority.

Thereafter the development shall only be carried out in full accordance with the approved plans.

Should during the course of the development, any contaminated material other than that referred to in the Investigation and Risk Assessment Report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority. *Reason: To protect the Environment and prevent harm to human health, by ensuring the site is suitable for the proposed end use in accordance with paragraph 121 of the National Planning Policy framework.*

7. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings have been submitted to and approved in writing by the Local Planning Authority for each phase of the 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 in accordance with Policies GN5 and HS4 of the Chorley Local Plan Review and Policy 17 of the Adopted Core Strategy.*

8. No part of the development hereby approved shall commence until a scheme for the construction of all site access, emergency access and the off-site highway works of highway improvement referred to below have been submitted to and approved in writing by the Local Highway Authority in consultation with the Highway Authority.

Prior to the first occupation of any part of the development, hereby approved, the highway works should be constructed in accordance with the details approved. The required highway works to include:

- Construction of the site access has been completed based on drawing No 1249/07 Rev B or variation as requested by the Local Planning Authority in consultation with the Local Highways Authority.
- The improvement of two bus stops (one in each direction) to Quality Bus Standard incorporating real time bus information, located close to the site access on Bolton Road as requested by the Local Planning Authority in consultation with the Local Highways Authority.
- The provision of a PUFFIN crossing on Bolton Road.
- Improvement works to provide cycle and pedestrian facilities at the existing Bolton Road/Chorley Road/ Railway Road/Babylon Lane junction as shown on drawing 1249/23 'proposed junction improvement scheme'. The works include advance cycle stop lines and lead in cycle lane on the approach to all arms of the junction; together with the provision of pedestrian facilities on the Railway Road/Babylon Lane arms of the junction. To also include the installation of MOVA signal technology to optimise signal timing to improve network reliability.

Reason: In order to satisfy the Local Planning Authority and the Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and in order to improve the accessibility of the site and ensure that residents of the development have satisfactory access to services and facilities.

9. No site preparation (which includes demolition) or construction shall commence until all of the off-site highways works have (including land dedications) have been completed on land not controlled by the applicant. *Reason: To ensure that the approved scheme referred to in condition XXX can be provided.*

10. Within 3 months of the first occupation of 80 of the dwellings of the development, hereby permitted, a Residential Travel Survey will be undertaken. Subsequently, a Full Travel Plan shall be submitted to and approved in writing by the Local Planning Authority within three months of the first Residential Travel Survey. The Travel Plan shall include objectives, targets, measures and funding mechanism to achieve the targets, monitoring, implementation timescales for delivery (which exceeds the build out period) and the provision of a travel plan coordinator. The approved plan(s) will be audited and updated at intervals as approved and the approved plan(s) shall be implemented as approved. *Reason: In order to satisfy the Local Planning Authority and the Highway Authority that these sustainable transport links can be substantially completed prior to the occupation of the phased development and effect the modal choice of the occupants; in order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions.*

11. There shall not at any time in connection with the development hereby permitted be planted hedges, trees or shrubs, over 1m above the road level within any visibility splay required to maintain safe operation for all road users. *Reason: To ensure adequate visibility splays are maintained at all times.*

12. No development shall commence until a surface water drainage scheme for the site, based upon Sustainable Drainage Principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall limit the surface water run-off generated by the 100 year critical storm so that it will not exceed the run off from the undeveloped site and not increase the risk of flooding off site and include details of how the drainage system shall be maintained and maintained after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. *Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity and ensure future maintenance of the surface water drainage system.*

13. No development shall commence until :

- A desktop study has been undertaken to identify all previous site uses, potential contaminants that may reasonable be expected given those uses and other relevant information. Using this information a diagrammatical representation (conceptual Model) for the site of all potential contaminant sources, pathways and receptors should be produced.
- A site investigation has been designed for the site using information obtained from a) above. This should be submitted to and approved in writing by the Local Planning Authority prior to the investigation being carried out on the site.
- The site investigation and associated risk assessment have been undertaken in accordance with details approved in writing by the Local Planning Authority.
- A Method Statement and Remediation Strategy, based on the information obtained from c) above has been submitted to and approved in writing by the Local Planning Authority.

The development shall then proceed in strict accordance with the measures approved. Work shall be carried out and completed in accordance with the approved Method Statement and Remediation Strategy referred to in d) above and to a timescale agreed in writing by the Local Planning Authority unless otherwise agreed in writing by the Local Planning Authority.

If during the 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 addendum to the Method Statement. This addendum must detail how this unsuspected contamination shall be dealt with.

Upon completion of the remediation details in the Method Statement a report shall be submitted to the Local Planning Authority that provides verification that the required works regarding contamination have been carried out in accordance with the approved Method Statement(s). Post remediation sampling and monitoring results shall be included in the report to demonstrate that the required remediation has been fully met. Further monitoring proposals and reporting shall be detailed in this report. *Reason:*

- To identify all previous site uses, potential contaminants that might reasonably be expected given those uses and the sources of contamination, pathways and receptors*
- To enable: A Risk Assessment to be undertaken, Refinement of the conceptual model and the development of a Method Statement and Remediation Strategy.*
- & d) To ensure that the proposed site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site*

14. Prior to the commencement of development, a detailed Method Statement for the removal or long term management/ eradication of Himalayan Basal and Japanese Knotweed on the site shall be submitted to and approved in writing by the Local Planning Authority. The Method Statement shall include proposed measures to prevent the spread of Himalayan Balsam and Japanese Knotweed during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of seeds/root/stem of any invasive plant covered under the wildlife and Countryside Act, 1981. Development shall [proceed in accordance with the approved Method Statement. *Reason: To prevent the further spread of Himalayan Balsam and Japanese Knotweed as a result of the development.*

15. Before the development, hereby permitted, is commenced full details of the position, height and appearance of all fences and walls to be erected on the site shall be submitted to and approved in writing by the local Planning Authority for each phase of the development. No dwelling shall be occupied until all of the fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. *Reason: To ensure a visually satisfactory form of development and to provide for a reasonable standard of privacy to all residents and in accordance with Policy HS4 of the Chorley Local Plan Review.*

16. Prior to the commencement of works on site, a Construction Environment Management Plan shall be submitted to and approved in writing by Chorley Borough Council. The approved plan shall be implemented in full. The plan shall be in accordance with the recommendations of the report 'Bolton Road, Adlington, Lancashire Ecological Assessment' (FPCR Environment and Design Ltd, July 2012): paragraphs 4.24-4.3 (protection of retained habitats and features, working measures to control invasive species). *Reason: To ensure that habitats are suitably protected by works on the site.*

17. The precautionary measures for the protection of badgers outlined in paragraph 5.17 of the Ecological Appraisal Report by FPCR, 2010 shall be implemented in full before the development is commenced. *Reason: To ensure the protection of badgers during the course of the development in accordance with the Protection of Badgers Act, 1992.*

18. Precautionary measures for the avoidance of impact on bats (Appendix 7: Method Statement for Tree Works, 'Bolton Road, Adlington, Lancashire. Ecological Assessment' (FPCR Environment and Design Limited, July 2012)) shall be implemented in full. *Reason: To ensure the protection of any bat species present on site and to comply with the legislation outlined in the Wildlife and Countryside Act, 1981 (as amended).*

19. Measures for the avoidance of impacts on nesting birds (paragraph 4.35, 'Bolton Road, Adlington, Lancashire Ecological Assessment' (FPCR Environment and Design Ltd, July 2012) shall be implemented in full. *Reason: To prevent detrimental impact on nesting birds during development of the site.*

20. Precautionary measures for the avoidance of impacts on water voles (as outlined in paragraph 4.36 'Bolton Road, Adlington, Lancashire, Ecological assessment' (FPCR Environment and Design Ltd, July 2012)) shall be implemented in full. This includes re-surveys prior to the development and if water voles are suspected, proposals for mitigation must be submitted for approval and subsequently implemented in full. *Reason: To prevent impacts on water voles during the course of development.*

21. There shall be no felling of trees, vegetation clearance works, demolition works or other works that may affect nesting birds between March and July (inclusive), unless the absence of nesting birds has been confirmed by further written surveys or inspections. *Reason: To ensure the protection of nesting birds during the construction period.*

22. The development shall be limited to no more than 170 dwellings and shall be carried out in accordance with the following plans:

Plan ref:	Title
4698 – P – 01 Rev J	Location Plan
4698 – P – 02 Rev J	Development Framework
4698 – P – 03 Rev J	Illustrative Masterplan
4698 – P – 04 Rev B	Illustrative Sections

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

23. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy No's GN5 and HS4 of the Chorley Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

24. During the construction period, all trees to be retained shall be protected by 1.2m high fencing as specified in paragraph 8.2.2 of the 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 areas to be fenced. All excavations within the areas so fenced shall be carried out by hand. *Reason: to safeguard the trees to be retained and in accordance with policy Nos. EP9 and HT9 of the Adopted Chorley Local Plan Review.*

25. The development shall be brought forward in a manner that accords with the phasing schedule set out within Local Plan: Site Allocations and Development Management DPD, or any other policy which supersedes the schedule set out within this document, at the time that development commences. *Reason: To ensure the managed delivery of housing in accordance with Policy 4 of the Joint Lancashire Core Strategy and Policy HS2 of the Local Plan: Site Allocations and Development Management DPD.*