

Planning Committee

Tuesday, 9th November 2021, 6.30 pm

Council Chamber, Town Hall, Chorley and YouTube

Agenda

Apologies

- 1 **Minutes of meeting Tuesday, 5 October 2021 of Planning Committee** (Pages 3 - 6)
- 2 **Declarations of Any Interests**

Members are reminded of their responsibility to declare any pecuniary interest in respect of matters contained in this agenda.

If you have a pecuniary interest you must withdraw from the meeting. Normally you should leave the room before the business starts to be discussed. You do, however, have the same right to speak as a member of the public and may remain in the room to enable you to exercise that right and then leave immediately. In either case you must not seek to improperly influence a decision on the matter.
- 3 **Planning applications to be determined**

The Director (Planning and Development) has three items for planning applications to be determined (enclosed).

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our website.
<https://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application>

 - a **21/00281/FULHH - 12 Langton Close, Eccleston, Chorley, PR7 5UU** (Pages 7 - 34)
 - b **21/01052/FUL - The Post Office, The Straits, Hoghton** (Pages 35 - 66)
 - c **21/01020/LBC - Astley Hall, Astley Park, Park Road, Chorley, PR7 1NP** (Pages 67 - 92)
- 4 **Chorley Borough Council Tree Preservation Order No.4 (Clayton Le Woods) 2021** (Pages 93 - 114)
- 5 **Any urgent business previously agreed with the Chair**

Gary Hall
Chief Executive

Electronic agendas sent to Members of the Planning Committee Councillor June Molyneux (Chair), Councillor Alex Hilton (Vice-Chair) and Councillors Aaron Beaver, Martin Boardman, Magda Cullens, Gordon France, Peter Gabbott, Danny Gee, Tom Gray, Harold Heaton, Keith Iddon, Alistair Morwood and Alan Whittaker.

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or chorley.gov.uk

[To view the procedure for public questions/ speaking click here and scroll to page 119](#)

After careful consideration, it was proposed by Councillor Gordon France, seconded by Councillor Alan Whittaker, that the application be refused.

A further proposal was proposed by Councillor Alistair Morwood, seconded by Councillor Martin Boardman that the application was approved.

Upon being put to the vote, it was **resolved (8:4:0) that the application be approved subject to conditions.**

21.P.121 20/00175/FULMAJ - Great Barn, Hoghton Tower, Blackburn Old Road, Hoghton

Registered speakers: Christie McDonald (Agent).

After careful consideration, it was proposed by Councillor Martin Boardman, seconded by Councillor Keith Iddon, and subsequently **resolved (unanimously) that the application be approved subject to conditions.**

21.P.122 20/00176/LBC - Great Barn, Hoghton Tower, Blackburn Old Road, Hoghton

Registered speakers: Christie McDonald (Agent).

After careful consideration, it was proposed by Councillor Martin Boardman, seconded by Councillor Keith Iddon, and subsequently **resolved (unanimously) that the listed building consent be granted, subject to conditions.**

21.P.123 20/01211/FULMAJ - Brookes Arms, Eaves Lane, Chorley

Registered Speakers: Councillor James Nevett (Ward Councillor) and Chris Weetman (Agent).

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Alex Hilton, and subsequently **resolved (11:0:1) that the application be approved, subject to conditions and a legal agreement to secure financial contributions for open space off-site provision/improvements.**

21.P.124 21/00380/FUL - South View, Back Lane, Mawdesley

After careful consideration, it was proposed by Councillor Martin Boardman, seconded by Councillor Alex Hilton, and subsequently **resolved (10,1,1) that the application be approved subject to conditions.**

21.P.125 21/00965/FUL - Straits Farm, The Straits, Hoghton

Public speakers: Ursula Walton (Objector) and Daniel Hughes (Agent)

After careful consideration, it was proposed by Councillor Alan Whittaker, seconded by Councillor Martin Boardman, that the application be refused.

A further proposal was proposed by Councillor Alex Hilton, and seconded by Councillor Peter Gabbott, that the application be approved.

Upon being put to the vote, it was **resolved (6:5:1) that the application be approved subject to conditions.**

21.P.126 21/01389/OUTMAJ - Croston Sports Club, Westhead Road, Croston, Leyland

Public Speaker: Neville Norcross (Supporter).

After careful consideration, it was proposed by Councillor Alan Whittaker, seconded by Councillor Keith Iddon, and subsequently **resolved (unanimously) that the application be approved subject to conditions.**

21.P.127 21/00969/FUL - 84 Dallington Avenue, Clayton-Le-Woods, Leyland, PR25 5AG.

Public speaker: Rachel Greenwood (Applicant).

After careful consideration, it was proposed by Councillor Alan Whittaker, seconded by Councillor Martin Boardman, and subsequently **resolved (unanimously) that the application be approved with the condition that the change of use occurs within three years.**

21.P.128 Chorley Borough Council Tree Preservation Order No. 3 (Coppull) 2021

Members moved and seconded the proposal and it was resolved unanimously to formally confirm the Tree Protection Order.

21.P.129 Chorley Borough Council Tree Preservation Order No. 5 (Clayton-le-Woods) 2021

Members moved and seconded the proposal and it was resolved unanimously to formally confirm the Tree Protection Order.

21.P.130 Chorley Borough Council Tree Preservation Order No. 6 (Charnock Richard) 2021

Members moved and seconded the proposal and it was resolved unanimously to formally confirm the Tree Protection Order.

21.P.131 Appeals Report

Councillor Martin Boardman declared an interest on this item and subsequently left the meeting at 20:21

Members noted the report of the Director of Planning and Development which set out planning appeals and decisions received between 27 August and 27 September 2021.

Chair

Date

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APPLICATION REPORT – 21/00281/FULHH

Validation Date: 9 March 2021

Ward: Ecclestone, Heskin And Charnock Richard

Type of Application: Householder Application

Proposal: Alterations to existing detached garage including increasing height of walls, raising of ridge height, extension to front and conversion to habitable accommodation, single storey front extension, single storey rear extension with balcony above, and associated external alterations

Location: 12 Langton Close Ecclestone Chorley PR7 5UU

Case Officer: Eleanor McCleary

Applicant: Mrs Adele Headley

Agent: Mr Douglas Philip Bertram, D.P.Bertram.Building & Planning Solutions

Consultation expiry: 25 June 2021

Decision due by: 4 May 2021 (Extension of time requested)

UPDATE

1. The recommendation remains to approve the application.
2. Members will recall that consideration of the application was deferred at the reconvened Planning Committee on 17 August 2021 to give members the opportunity to visit the site.
3. At Planning Committee on 7 September 2021 determination of the application was again deferred in order to give the applicants the opportunity to reconsider the proposal.
4. The applicants have confirmed that they wish the application to be determined on the basis of the plans amended plans that had been previously submitted. The original committee report follows on below.
5. Condition no.4 has been amended as follows:

Before the balcony hereby approved is first brought into use the 1.5m high obscurely glazed privacy screen as shown on plan reference DPB/DEH/20/20 shall be installed on the south facing elevation of the balcony, and 1.10m high obscurely glazed privacy screens as shown on plan reference DPB/DEH/20/20 shall be installed to the west and north facing elevations. The obscurely glazed privacy screens shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority and it shall be retained at all times thereafter.

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

ORIGINAL COMMITTEE REPORT**RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.
2. Members are asked to note that Councillor Alan Whittaker have requested that the application is heard at Committee.

SITE DESCRIPTION

3. The application site is located within the settlement of Ecclestone. The existing property is a detached dwellinghouse with a detached garage and is located at the head of a cul-de-sac. There is a garden to the rear, beyond which there is open land.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. Planning permission is sought for:
 - alterations to the existing detached garage including increasing the height of the walls, raising of the ridge height, extension to the front and conversion to habitable accommodation;
 - a single storey front extension;
 - a single storey rear extension with balcony above; and
 - associated external alterations

REPRESENTATIONS

5. Representations have been received from 3no. neighbours citing the following grounds of objection:
 - Adverse effect on the visual amenity of a neighbouring property through overlooking, loss of privacy, shadowing and reduction of daylight to certain rooms at the rear.
 - Impact on amenity of neighbouring properties in terms of overshadowing and loss of light.
 - Description is misleading – described as rear single storey extension but it is clear that to achieve the proposed dimensions on the first floor balcony, the first floor will also have to be extended to the same degree as the ground floor extension, thus making this a two storey extension as opposed to a single storey extension detailed.
 - Adverse effect on the residential amenity of neighbours due to the impact on highway safety and the convenience of road users in what is a small, congested cul-de-sac. This will also have an impact on means of access and available car parking, which will be especially evident when additional vehicles visit the premises.
 - Time frame for works proposed – work would greatly affect ability to sleep during the day (shift worker) due to the noise of the work taking place close to a neighbour's bedroom.
 - 1no. neighbour has requested that if officers are mindful to approve, they would appreciate the opportunity to address the committee and voice their concerns in relation to the proposed alterations prior to any decisions being finalised.
 - 1no. neighbour is not opposed to the planned alterations to the existing garage as they feel that the impact on surrounding neighbours including themselves will be to a much lesser extent.

6. Following representations made, amended plans were submitted which extended the length of the balcony screening, and provided additional measurements on plan. Further representations were received from 2no. neighbours:
- Amended plans indicate that the total length of the dining room wall is 3950cm on the existing footprint of the property which is also the same for the balcony which is shown as 120cm. The new plan clearly shows a larger balcony, but the measurements are not shown indicating how much longer the downstairs wall will be when it is extended. If, as anticipated, the walls and balcony extend further the same objections remain because, it is felt that this part of the proposed works will have a detrimental impact on natural light to both upstairs and downstairs of their home and will effect enjoyment of their property
 - Concern raised regarding conversion of, and extension to, the garage and impact it could have on access to neighbouring driveways.
 - Safety of children playing due to additional vehicle movements and house being adjacent to a children's play area.

CONSULTATIONS

7. Canal & River Trust – Have stated that this application falls outside the notified area for its application scale.
8. Chorley Council Waste & Contaminated Land Officer – Have confirmed that they have no comments.
9. Eccleston Parish Council – Have commented that concerns have been raised by a neighbour regarding potential overlooking of rear rooms.

PLANNING CONSIDERATIONS

Design and impact on the dwelling and streetscene

10. *Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.*
11. *Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.*
12. *The Householder Design Guidance SPD requires that extensions are subservient to the existing dwelling and respect the scale, character, proportions of the existing dwelling and surrounding area. In particular the SPD states that the installation of balconies and terraces are almost always problematic and, in many cases, unacceptable. Incorporation of some form of privacy screen could be used with great care, and ideally should be designed into the fabric of an extension rather than be added as an afterthought. In addition, the SPD states that front extensions may be acceptable in streets where there is no distinct building line or form, in a street with a wide variety of architectural styles.*
13. The existing detached garage would be extended to the front, and the walls and ridge height raised before conversion to habitable accommodation. The proposed alterations would be suitably domestic in appearance and whilst the existing garage door would be removed and a door and windows introduced to the front elevation, the resultant structure would still retain an appropriate degree of subservience to the existing dwelling.
14. The proposed extension to the front would result in the existing garage being located further forward, however it would still retain a reasonable set back from the public highway and front

elevation of the dwellinghouse, and would not, therefore, appear overly prominent in the streetscene.

15. The proposed single storey front and rear extensions would respect the existing property and the surrounding buildings in terms of the scale, size, design and facing materials. Views of the proposed rear extension would be largely obscured from public vantage points.

Impact on the amenity of neighbouring occupiers

16. *Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.*
17. *Policy HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.*
18. *The Householder Design Guidance SPD seeks to ensure that property extensions have a satisfactory relationship with existing neighbouring buildings, do not have overbearing impacts on adjacent properties and amenity areas and do not lead to the excessive loss of daylight or overshadowing of habitable rooms and amenity spaces of adjacent properties. Furthermore, it asserts that extensions should be located, and windows orientated, to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties. In particular the SPD states that first floor and two storey extensions should not project beyond a '45-degree' guideline drawn on plan from the near edge of the closest ground floor habitable room window in an adjoining/affected property and single storey extension should not project further than 3m beyond the same line. The SPD also states that balconies or terraces which lead to an unacceptable level of overlooking or are visually intrusive are unacceptable.*
19. Objections have been received from the occupiers of adjacent properties, no.11 Langton Close, and no.12A Langton Close. Both these neighbouring occupiers are concerned that the proposed development would result in an adverse impact on their amenity through overlooking, loss of privacy, shadowing and reduction of daylight.
20. The orientation of the application property is such that the proposed single storey rear extension with balcony above would be built to its western facing rear elevation, adjacent to the boundary with no.11 Langton Close, which is located to the south. This neighbouring property has a single storey rear extension (planning permission ref 15/00136/FUL) which projects from its west facing rear elevation, and which is built in proximity to its northern boundary that is shared with the application property. The neighbouring occupier is concerned that the proposal would have an adverse impact on light to the rear windows which are in proximity to the proposed extension.
21. In order to protect the amenity of neighbouring occupiers, Chorley Council's Householder Design Guidance Supplementary Planning Document (SPD) states that first floor and two storey rear extensions should not project beyond a 45 degree line drawn from the near edge of the closest ground floor rear facing window to a habitable room in a neighbouring dwelling. Given that the proposed single storey rear extension would contain a balcony at first floor it is considered appropriate to apply the guideline for first floor and two storey rear extensions.
22. The proposed extension would not project beyond a 45 degree line drawn from the near edge of the closest ground floor rear facing window in a habitable room in no.11 Langton Close. Measurement has been taken from the rear facing windows in the single storey rear extension at this property. The Council uses the '45-degree' guideline to assess the impact of proposed extensions with the purpose of maintaining satisfactory relationships between existing buildings and proposed extensions, avoiding overbearing impacts on adjacent properties and amenity areas, and preventing excessive loss of daylight or overshadowing

of habitable rooms and amenity spaces of adjacent properties. Whilst it is acknowledged that there would be some loss of ambient light to the first floor windows, it is considered, on balance, that the orientation of the extension in relation to the neighbouring property would mean that the resultant overshadowing would not be so significant as to warrant refusal of the application.

23. Privacy would be maintained by the proposed 1.5m high privacy screen and 0.3m wall to the balcony, and with the extension containing a blank side elevation facing onto the common boundary, it is considered that there would be no unacceptable adverse impact on the amenity of the neighbouring occupier at no.11 Langton Close. A suitably worded condition is recommended.
24. The existing detached garage would be altered and extended to provide habitable accommodation following its conversion. The existing detached garage is located to the south of nos. 12A and 12B Langton Close. Whilst it is acknowledged that the proposed alterations to the garage would introduce a greater degree of massing to the boundary with these neighbouring properties, the existing separation distance would remain and, due to the orientation on site, the proposed development would not directly face onto the front elevation of these neighbouring properties. It is considered, therefore, that there would be no unacceptable adverse impact from overshadowing of the front of these neighbouring dwellinghouses. Furthermore, whilst a rooflight is proposed to the side elevation facing onto nos. 12A and 12B Langton Close, it is not considered that this would adversely impact amenity by virtue of overlooking. In addition, a door and 2no. windows would be introduced to the front elevation, and a patio door would be installed to the rear. The front facing door and windows would not directly overlook any neighbouring property, and with open land to the rear, it is considered that the resultant relationships would be acceptable.
25. The single storey front extension would replace an existing porch, and a small, high level, window would be installed in the front elevation. Given that the proposed single storey front extension would have an acceptable relationship with neighbouring properties.
26. With no neighbouring properties located directly to the rear and with a separation distance of more than 7m, it is considered that the proposal would accord with policy.

Highway safety

27. *Policy HS5 of the Chorley Local Plan 2012 – 2026 states that permission will be granted provided that the proposal does not have an unacceptable adverse effect on highway safety and policy ST4 of the Chorley Local Plan 2012-2026 and its associated appendix sets out parking standards based on bedroom numbers of a property.*
28. *The Householder Design Guidance SPD states that off-street parking should be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages.*
29. Following conversion of, and extension to, the existing detached garage it would serve as habitable accommodation. Objections have been received from the occupiers of 2no. neighbouring properties who are concerned that the proposed development would have an adverse impact on highway safety and parking.
30. Whilst the proposed development would result in the loss of 2no. garage parking spaces, the proposed parking layout demonstrates that in-curtilage parking would be provided for 3no. vehicles. This is in accordance with policy.
31. Whilst the safety of children playing is of concern, it is noted that the proposed development is located at the head of a cul-de-sac where there is limited passing traffic, and it is expected there would be low traffic speeds.

Other issues

32. Concerns about the parking of construction vehicles and construction hours are noted but given the size and scale of the proposed development it is not considered necessary to require a construction management plan in this instance.

CONCLUSION

33. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing dwelling or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents or highway safety. It is, therefore, considered that the development accords with policy HS5 of the Chorley Local Plan 2012 – 2026 and the Householder Design Guidance SPD. Consequently, it is recommended that the application is approved.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

Ref: 93/00114/FUL **Decision:** PERFPP **Decision Date:** 10 July 1998
Description: Erection of 22 dwellings with associated engineering works

Suggested conditions

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

Title	Plan Ref	Received On
Location Plan	N/A	9 March 2021
Site Plan	N/A	9 March 2021
Proposed Layout of Parking Areas	DPB/DEH/20/07	16 April 2021
Proposed Elevations	DPB/DEH/20/05 C	10 May 2021
Existing & Proposed Footprint of Property	DPB/DEH/20/16	10 May 2021
Proposed Elevations	DPB/EH/20/04	9 March 2021
Proposed Ground Floor Layout	DPB/EH/20/06 A	16 April 2021

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

2. All external facing materials of the development hereby permitted shall match in colour, form and texture to those specified on the application form received 9 March 2021 and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: In the interests of the visual amenity of the area in general and the existing building in particular.

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

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

4. Before the balcony hereby approved is brought into use the 1.5m high obscurely glazed privacy screens as shown on plan reference DPB/DEH/20/05 C shall be installed on the south and west facing elevations of the balcony. The obscurely glazed privacy screens shall be to at least Level 5 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority and it shall be retained at all times thereafter.

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

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12, Langton Close, Ecclestone, Lancashire, PR7 5UU



Site Plan shows area bounded by: 352576.92, 416098.88 352718.35, 416240.3 (at a scale of 1:1250), OSGridRef: SD52641616. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

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Planning
Committee Meeting

7 November 2021



Item 3a

21/00281/FULHH

12 Langton Close, Ecclestone, Chorley, PR7 5UU

Alterations to existing detached garage including increasing height of walls, raising of ridge height, extension to front and conversion to habitable accommodation, single storey front extension, single storey rear extension with balcony above, and associated external alterations

Location plan

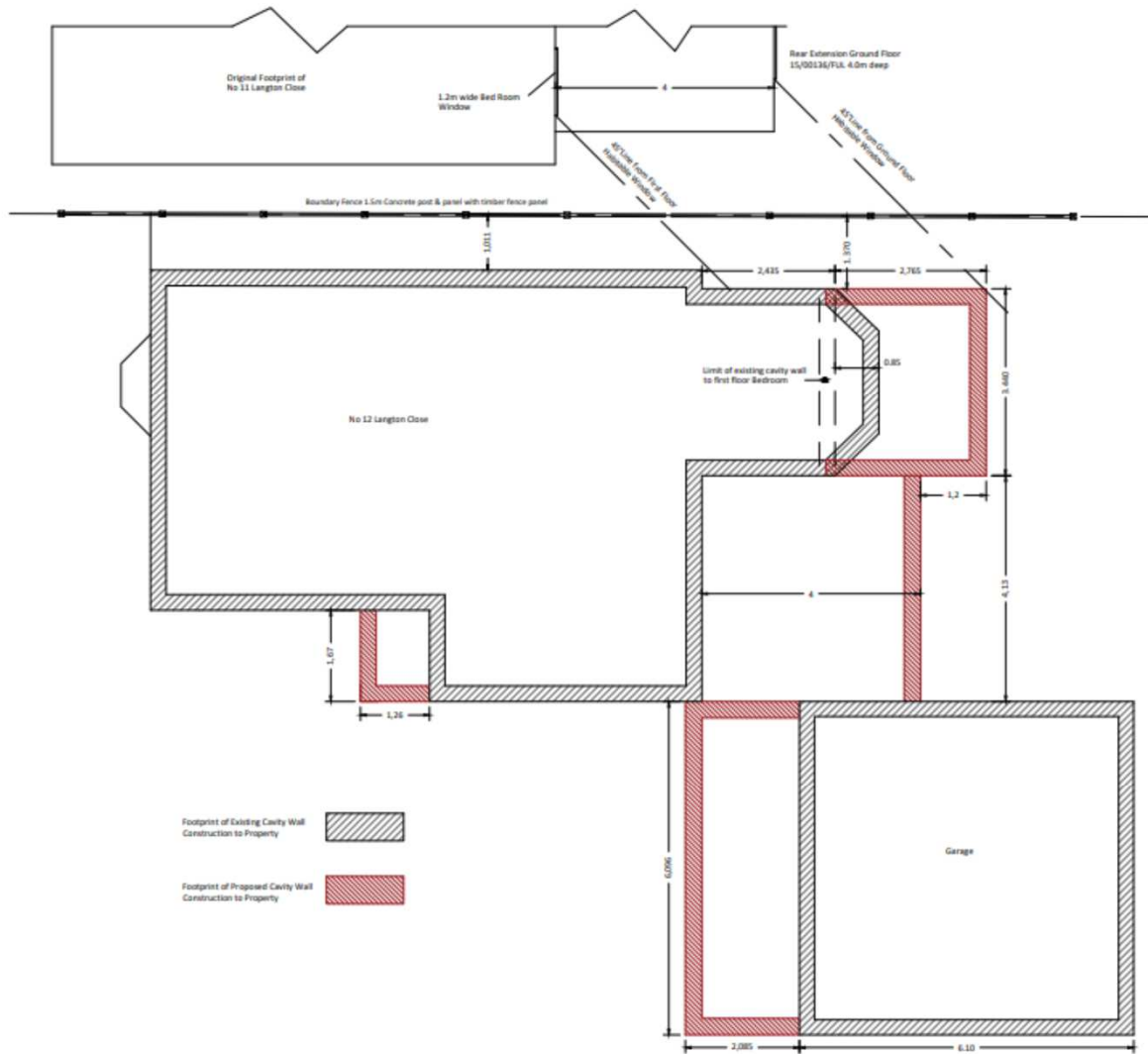
12, Langton Close, Eccleston, Lancashire, PR7 5UU



Aerial Imagery

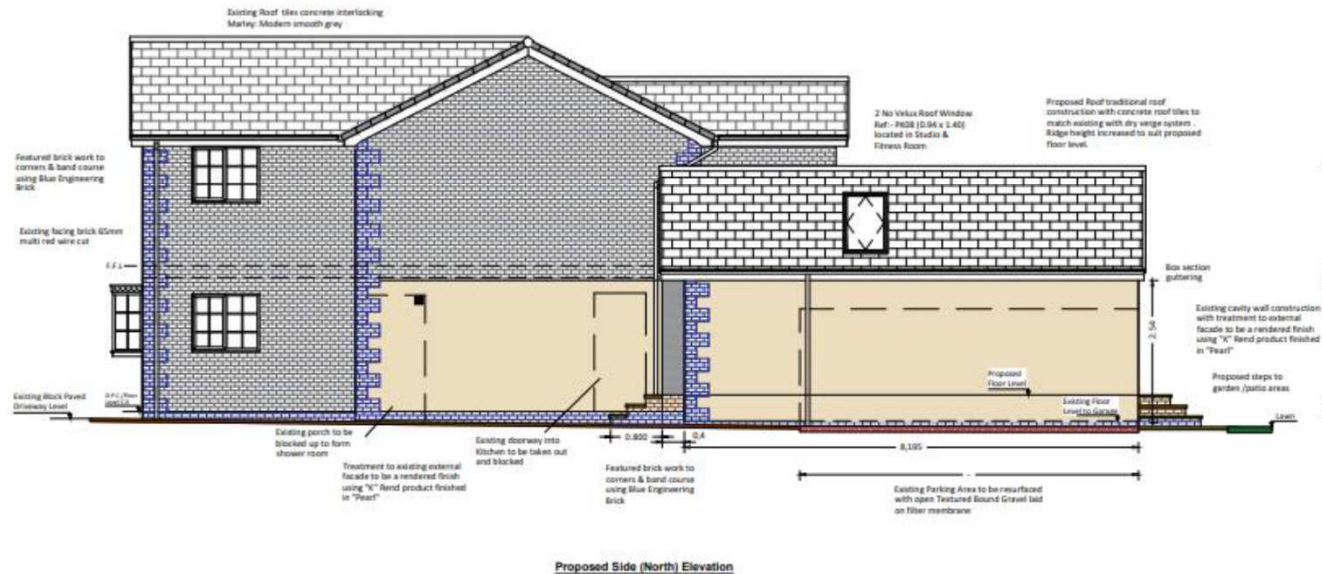


Existing & Proposed Ground Floor Footprints



Existing & Proposed Footprint Of Property

Proposed elevations (1)



Proposed floor plan

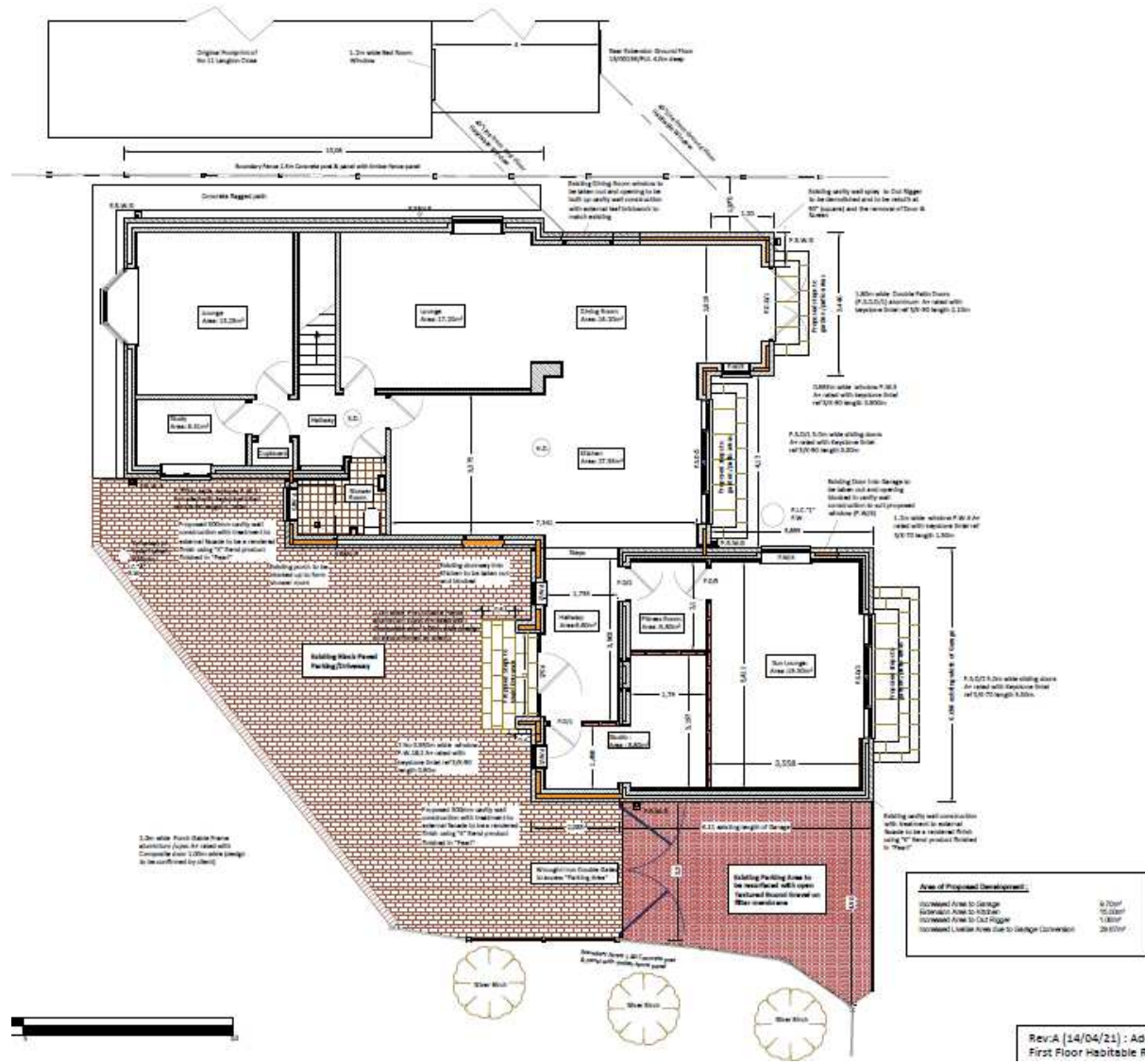


Photo 1 – Street view (front) (1)



Photo 2 – Street view (front) (2)



Photo 3 – Rear elevation (1)



Photo 4 – Rear elevation (2)



Photo 5 – Rear elevation (3)



Photo 6 – View to no.11 Langton Close (1)



Photo 5 – View from no.11 Langton Close (2)



Item 3a- 21/00281/FULHH – 12 Langton Close, Eccleston, Chorley, PR7 5UU

Paragraph 4 of the Update report should read:

The applicants have confirmed that they wish the application to be determined on the basis of the plans that have been previously submitted.

No amendments to the scheme have been made since the application was deferred.

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APPLICATION REPORT – 21/01052/FUL

Validation Date: 31 August 2021

Ward: Clayton East, Brindle And Hoghton

Type of Application: Full Planning

Proposal: Erection of dwellinghouse

Location: The Post Office The Straits Hoghton Preston PR5 0DA

Case Officer: Mr Iain Crossland

Applicant: Lanley Developments Limited

Agent: Mr Daniel Hughes, PWA Planning

Consultation expiry: 1 October 2021

Decision due by: 12 November 2021

Recommendation

1. It is recommended that planning permission is granted subject to conditions.

Site Description

2. The application site is located in the village of Hoghton, within the settlement area that is excluded from the Green Belt. It comprises a landscaped area resembling a garden to the west of The Post Office, which is situated on The Straits, at the end of a terraced row facing onto the highway. The application site is bound by The Straits to the south, Quaker Brook Lane to the north, The Post Office to the east and a small parcel of what appears to be public amenity space to the west. As such it occupies a prominent position within the village. The character of the area is that of a rural village with a mixture of traditional and more contemporary buildings surrounded by open agricultural land. The Post Office and terrace to the east are stone buildings of a simple traditional form and appearance typical of an upland village of agrarian origins.
3. It is noted that planning permission (ref. 19/00943/FUL) was granted for the erection of a detached dwelling and that this consent remains extant.

Description of Proposed Development

4. This application seeks full planning permission for the erection of a detached dwellinghouse. The proposed dwelling is a two storey building of traditional design style, and it is proposed that a vehicular access would be gained from Quaker Brook Lane. It is proposed that the dwelling would be faced in stone and would include a gable to the front elevation and balcony to the west elevation.
5. Some minor amendments have been made to the proposed dwelling to include stone facing to the three elevations that would be visible, window openings have been altered to provide a more vertical emphasis and a chimney has been included.

Representations

6. Representations have been received from the occupiers of 5no. addresses citing the following grounds of objection:
- Overdevelopment of a small site
 - Not in keeping with the character of the area.
 - Taller than the previously approved building and includes more modern elements
 - Impact on highway safety
 - No need for further housing in Hoghton
 - Dangerous parking practices already take place along Quaker Brook Lane
 - There would be a danger to highway safety during the construction period
 - Overlooking and loss of privacy.
 - The 1.8m screen fence shown on the plan to the west side of the plot is too high and should be replaced with wild-life friendly hedging

Consultations

7. Hoghton Parish Council: Have reiterated their previous observations as follows;
- A. The developments would set a precedent for further development in the area.
 - B. They are over developments.
 - C. There are highway health and safety issues resulting from another access to the busy Blackburn Old Road with increased traffic from the site and access is a short distance from Quaker Brook Lane where there are significant highway problems.
 - D. A new access is to be constructed as a result of development at Wise Mary's Farm which will add to the number of accesses to Blackburn Old Road.
8. Greater Manchester Ecology Unit: Have no objection subject to conditions.
9. Waste & Contaminated Land: Have no objection.
10. Lancashire County Council Highway Services: Have no objection subject to conditions.
11. United Utilities: Have no objection subject to condition.
12. Lancashire County Council Historic Environment Team: Have no objection subject to a condition.

Planning Considerations

Principle of development

13. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
14. The application site is located in the settlement area of the village of Hoghton and falls to be considered as an 'other place' when considering the location of development in relation to Policy 1 of the Core Strategy. Policy 1(f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
15. The preamble to the policy provides some limited context to the policy wording stating that growth and investment should be confined here (in other places) to small scale infill, in the interests of sustainable development. The proposed development is small scale, being classified as minor development, whilst the development of a single dwelling would be commensurate with the scale of the village. The proposed development would infill a small site within the settlement area of the village that is between two highways with a clear line of

development to the east side and development on opposite sides of both The Straits and Quaker Brook Lane.

16. In addition to this the location does have some sustainability credentials being located within the village that comprises a number of amenities within walking distance and the means to access other more distant amenities via a regular bus service. On this basis the site is considered to represent an infill opportunity within the village, in a strategic sense, and the development would be small scale and commensurate with the size of the settlement. The site and proposal are, therefore, considered to be in line with policy 1 of the Core Strategy, and would not be contrary to the aim of achieving sustainable development.

17. The application site has the appearance of a domestic garden and, therefore, the application is assessed on this basis. Policy HS3 of the Chorley Local Plan 2012 - 2026 deals with development within residential gardens. Policy HS3 states that development within private residential gardens on sites not allocated for housing will only be permitted for:

- (a) appropriately designed and located replacement dwellings where there is no more than one for one replacement;*
- (b) the conversion and extension of domestic buildings, and;*
- (c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*

When assessing applications for garden sites, the Council will also have regard to;

1) Sustainability, such as access to public transport, schools, businesses and local services and facilities.

Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.

18. The proposed dwelling would be positioned between The Post Office to the east and Quaker Brook Lane to the west, beyond which the line of development continues along The Straits. The application site measures approximately 20m in width, which represents a small gap. There is a very clearly identifiable built up street frontage to the east of the site along The Straits. To the west this line of development is broken only by the application site, a small area of amenity space and the highway at Quaker Brook Lane, beyond which the built up frontage is clearly identifiable. As the highway at Quaker Brook Lane forms part of a developed frontage the application site forms an obvious gap along this part of The Straits and is, therefore, considered to be an infill development in line with Policy HS3 criterion c).

19. There is no prevailing design character when considering The Straits as a whole. To the immediate east of the site the buildings are simple stone terraces of traditional design style. To the west the dwellings comprise stone cottages and red brick semi-detached houses. The dwellings located along Quaker Brook Lane are of a more varied design style with a range of more contemporary semi-detached and detached dwellings that include dormer bungalows. The proposed dwelling would be a detached property in the style of a traditional stone cottage. There would be a front gable feature and front porch, chimney stack, and other details contributing to a traditional design style including quoins, sills and lintols. The use of stone would ensure that the building provides some continuity with those nearby. It is noted that the proposed dwelling would include a small projection and balcony of more contemporary appearance to the west side of the dwelling.

20. Although the proposed dwelling does not exactly replicate the scale and appearance of those nearest dwellings, the range of properties in the locality is such that a traditional style dwelling of lesser height faced in similar materials to those adjacent would not be out of character with the street frontage when considered in its entirety.

21. Policy HS3 includes additional sustainability criteria detailed above. It is considered that the site is located in a relatively sustainable location with some access to public transport, some

limited local amenities such as a local shop, community centre and public houses, and the means to access other nearby amenities relatively easily.

22. Overall, it is considered that the proposed development complies with policy HS3 of the Chorley Local Plan 2012 - 2026. It is also noted that there is an extant planning permission (ref. 19/00620/FUL) for the erection of a detached dwelling on this site, which is a material consideration in the determination of this application given that the acceptability of the principle of development that has already been established.

Impact on character and appearance of the locality

23. The proposed development comprises a detached dwelling set within an open plot of land that is bound by The Straits to the south, Quaker Brook Lane to the north and amenity land to the west. As such the application site is prominent in the streetscene and would be clearly visible on three sides. As set out above there is no predominant design style in the village with a range of dwelling types, styles and materials used, although the nearest properties to the east are stone terraces of traditional appearance and character.
24. The proposed dwelling would be a detached property in the style of a traditional stone cottage. There would be a front gable feature and open front porch, chimney stack, and some simple window detailing. The dwelling has been designed to display features characteristic to the area including stone quoins, sills and lintols and is a simple stone faced building, which is an appropriate design response to the site, and its open aspect. A small projection and balcony with larger window openings and a more contemporary appearance would be included to the west side of the dwelling. Although this would introduce a more contemporary feature its scale is such that it would not detract from the overall traditional effect of the design, whilst the continued use of stone would enable this element to be included with a suitable degree of harmony.
25. The height of the proposed dwelling has been kept lower than the building immediately to the east, which reflects the varied building height along the terrace to the east and reduces the visual impact. The use of stone would help the proposed dwelling to blend in with its immediate surroundings, whilst the positioning is broadly consistent with that of the nearest properties along The Straits. The roofing materials have not yet been specified though it is noted that the properties to the east are roofed with slates. Given the prominence of the site and distinctiveness of the frontages along The Straits in this locality it is considered necessary to provide materials details to ensure an adequate match with the properties to the east and to provide details of window and door fittings to ensure that a suitably high quality of development is achieved. As such a number of conditions are recommended requiring the approval of further details and to ensure a suitably high quality finish.
26. It is proposed that the driveway and parking would be located to the rear with gardens to the front and site. This would help to frame the property and provide an adequate degree of amenity space. The dwelling to plot ratio is relatively tight in the context of the large curtilages of many other dwellings in Hoghton. There would, however, be adequate space around the dwelling such that it would not appear disproportionate.
27. Overall, it is considered that the proposed dwelling would result in a harmonious addition to the streetscene along The Straits and would be an unobtrusive feature when viewed from Quaker Brook Lane. The gable end of the dwelling would be clearly visible on approach from the west, however, the current aspect is that of a blank gable elevation to the Post Office and therefore it would not be harmful to the appearance of the streetscene.

Impact on neighbour amenity

28. The proposed dwelling would be located immediately adjacent to The Post Office and would not be visible from this property.
29. The proposed dwelling would face the side elevation of no.4 The Straits, which is located on the opposite side of The Straits to the south. It is noted that there are windows to habitable rooms in the side elevation of no.4 The Straits facing the application site, and that there is a separation distance of approximately 14m. The proposed dwelling is located to the north of

this property and would have no impact on direct light to these windows. There would be windows to habitable rooms at first floor level in the proposed dwelling facing first floor windows to no.4 The Straits. Although these would be positioned less than the 21m interface guideline applied to facing windows a reduced interface is not uncommon in instances where there is an intervening highway and is not, therefore, considered to result in an unacceptably harmful impact on privacy in this instance given the already reduced privacy levels due to the presence of the highway.

30. There would be windows at ground floor that would face no.4 The Straits, however, the inclusion of a front hedge at the proposed dwelling would help to filter direct views. In addition to this it is noted that the windows in the side elevation of no.4 The Straits face directly onto the highway at The Straits. As such the degree of private amenity available from these windows already is less than may otherwise be anticipated, and the impact of the proposed dwelling would not exacerbate this to any harmful extent. It is, however, recommended that a condition is attached to any grant of planning permission requiring the retention of the hedge and its maintenance to the minimum height.
31. There would be some impact on outlook from the windows in the side elevation at no.4 The Straits as the proposed development would take place on an open site opposite. The scale of the proposed dwelling and degree of separation are such, however, that it is not considered the impact would be unacceptably harmful.
32. The proposed dwelling would be located at least 22m from the nearest dwellings on Quaker Brook Lane, namely Oak Lea and Wayside. Given the scale of the proposed dwelling, its positioning and degree of separation it is not considered that there would be any detrimental impact on the amenity of the occupiers of these dwellings.
33. The proposed balcony would be located approximately 15m from the rear garden to no.4 The Straits and approximately 18m from the side garden to no.301 Hoghton Lane with intervening highway between both. This represents an adequate degree of separation for what is a small balcony area, such that there would be no unacceptably harmful impact on the privacy of the occupiers of these properties.
34. Overall, it is considered that the proposed dwelling would not result in any unacceptable detrimental impact on the amenity of neighbouring occupiers.

Highway safety

35. The application site is located between two highways, The Straits and Quaker Brook Lane, and it is noted that a number of concerns have been raised with regards to the impact of the development on highway safety and current highway safety issues.
36. Lancashire County Council Highway Services acknowledge that there is a lack of full and adequate pedestrian facilities on Quaker Brook Lane and it is suggested that the applicant provides a 2m wide footway across the full frontage of the site on Quaker Brook Lane, which could lead to an upgrade of the existing path that runs through the adjacent amenity land, where the Parish Council have a notice board and bench.
37. The upgrade of this footpath and the new footway on Quaker Brook Lane would also be of benefit to other residents and road users on Quaker Brook Lane and provide a direct link to the bus stops and the footways on The Straits. The applicant would be requested to enter into a s278 agreement for the formation of the footway and vehicle crossing on Quaker Brook Lane.
38. It is requested that the applicant makes provision for the construction/contractor parking and the loading and storage of deliveries off the highway associated with the construction of the development. This is to ensure that Quaker Brook Lane and The Straits are not obstructed by parking and the safe passage of all road users is maintained. A condition requiring a construction method statement is, therefore, recommended.

39. Adequate off street car parking provision would be provided that complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.
40. Overall, LCC Highways do not have any objections regarding the proposed erection of a detached dwellinghouse on land west of the Post Office and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Ecology impacts

41. The application is accompanied by an ecology assessment of the site. This has been reviewed by the Council's ecology advisors Greater Manchester Ecology Unit (GMEU) who advise that no significant ecological issues were identified by the developer's ecological consultant. Issues relating to bats, nesting birds, invasive species and landscaping can be resolved via conditions and informatives.
42. The buildings on the site were assessed as having negligible bat roosting potential. GMEU have no reason to doubt the findings of the report, carried out by an experienced bat consultancy. As bats can arrive in unexpected locations it is recommended that an informative is attached reminding any developer of the Habitat Regulations.
43. No other protected species were assessed as likely on the site and GMEU have no reason to doubt these conclusions, given the nature of the development site and distance from suitable habitat.
44. Japanese knotweed is recorded within the development site. Japanese knotweed is included within schedule 9 part 2 of the Wildlife & Countryside Act 1981, as amended. It is an offence to introduce or cause to grow wild any plant listed under this schedule. It is, therefore, recommended that a condition requiring a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed be attached to any grant of planning permission.
45. Section 174 of the Framework states that the planning system should contribute to and enhance the natural and local environment. The site is generally of low ecological value consisting of amenity grassland ornamental planting and short sections of hedgerow. Short sections of hawthorn hedge are to be replaced with beech hedges with some tree and shrub planting. The soft landscape proposals would adequately mitigate for loss of existing vegetation.

Flood risk and drainage

46. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
47. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
48. It is recommended that the applicant provides details of a surface water drainage scheme, that is in accordance with the surface water drainage hierarchy outlined above.

Sustainability

49. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric

insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government’s intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent.”

“Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.”

50. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by a condition.

Public open space

51. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
52. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
53. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.
54. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
55. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 1 or 2 dwellings.
56. It is considered that the benefit of securing a public open space contribution on the basis of one dwelling would not be sufficient or carry significant weight to outweigh the national policy position. The benefit to the Council is the delivery of improvements to play space, however the cost of managing the end to end process of delivering those improvements is high and not commensurate to the benefit.

57. Therefore, a public open space commuted sum is not requested for this scheme.

Community Infrastructure Levy (CIL)

58. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

59. It is considered that the principle of a new dwelling on this site is acceptable and that the proposed dwelling would not cause undue harm to the appearance and character of the area or neighbour amenity. In addition, it is considered that adequate parking would be provided and that there would be no unacceptable harm to highway safety. On the basis of the above, it is recommended that planning permission be granted.

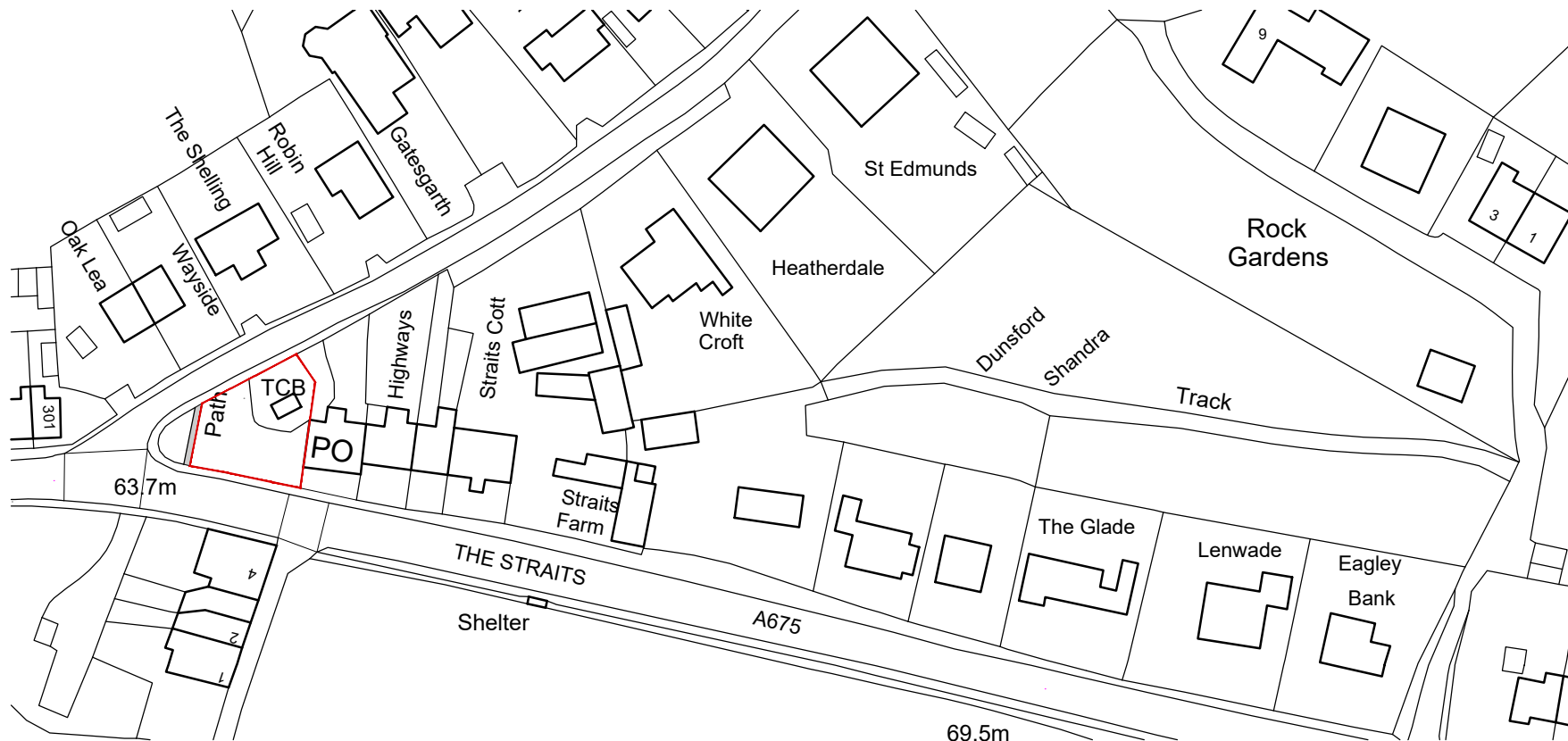
RELEVANT HISTORY OF THE SITE

Ref: 19/00620/FUL **Decision:** PERFPP **Decision Date:** 13 September 2019
Description: Erection of detached dwellinghouse on land west of the Post Office

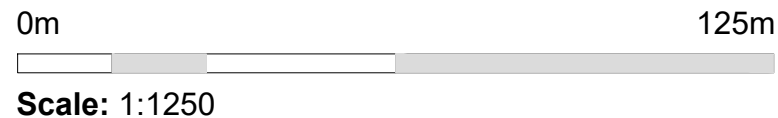
RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested conditions

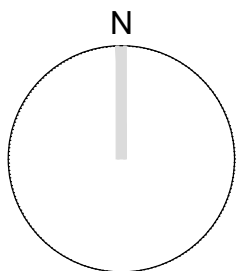
To follow.



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Revision Notes:



CLIENT Lanley Homes.				
PROJECT NAME Proposed detached house and garage on land to the west of Hoghton Post Office, The Straits, Houghton, PR5 0DA.				
DRAWING NAME Location Plan.				
SCALE 1:1250 @ A4	DRAWN BY JRM	DATE 15:07:2021	DRAWING NUMBER 20/089/L01	REVISION -

213 Preston Road, Whittle-le-Woods, Chorley, Lancashire, PR6 7PS
Telephone: 01257 261555 **Fax:** 01257 267224 **Website:** www.lmparchitects.co.uk
 LMP Architectural Consultants is the trading name of Lawson Margerison Practice Ltd. Registered in England and Wales. No. 5597973 ©

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Planning Committee Meeting

09 November 2021



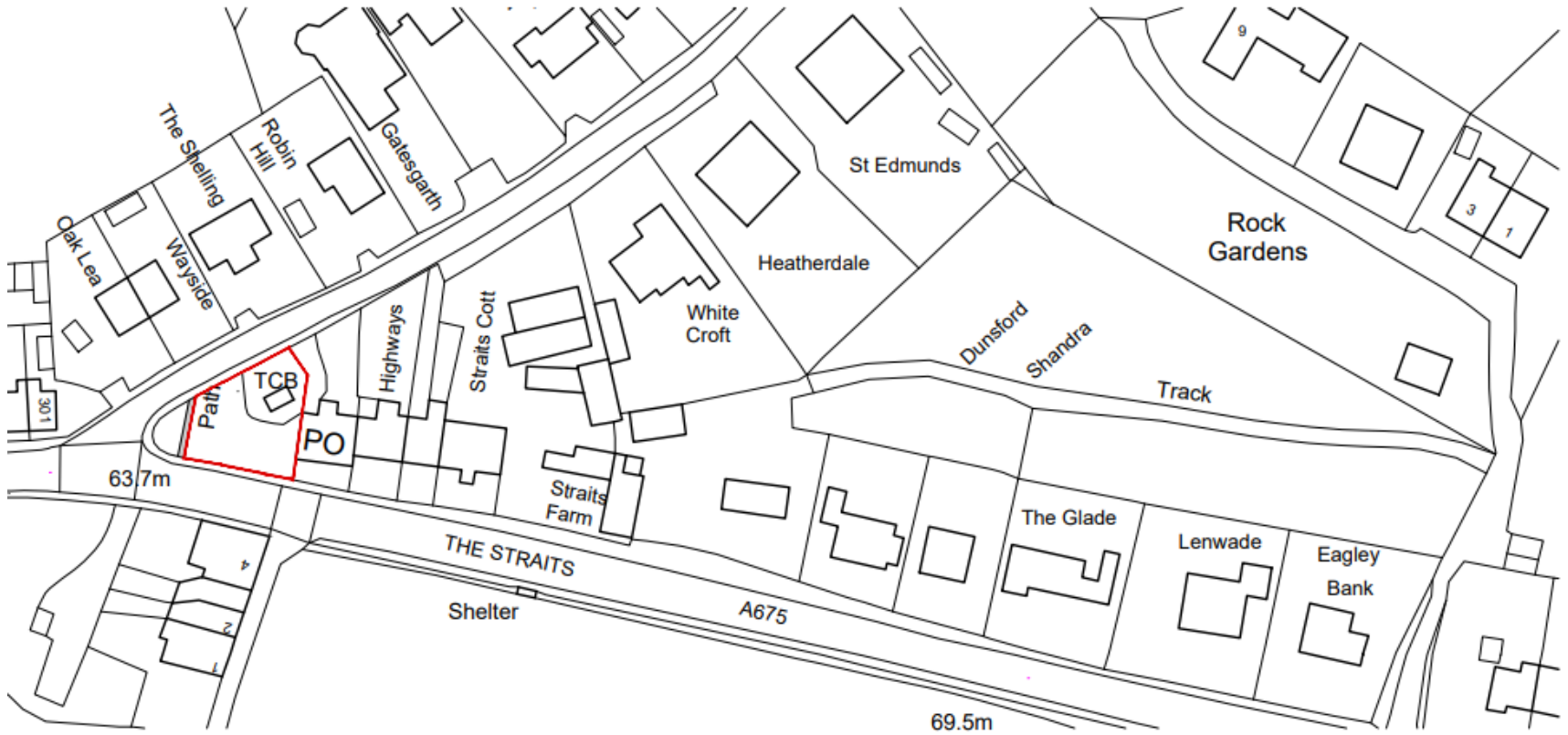
Item 3b

21/01052/FUL

The Post Office, The Straits, Hoghton

Erection of dwellinghouse

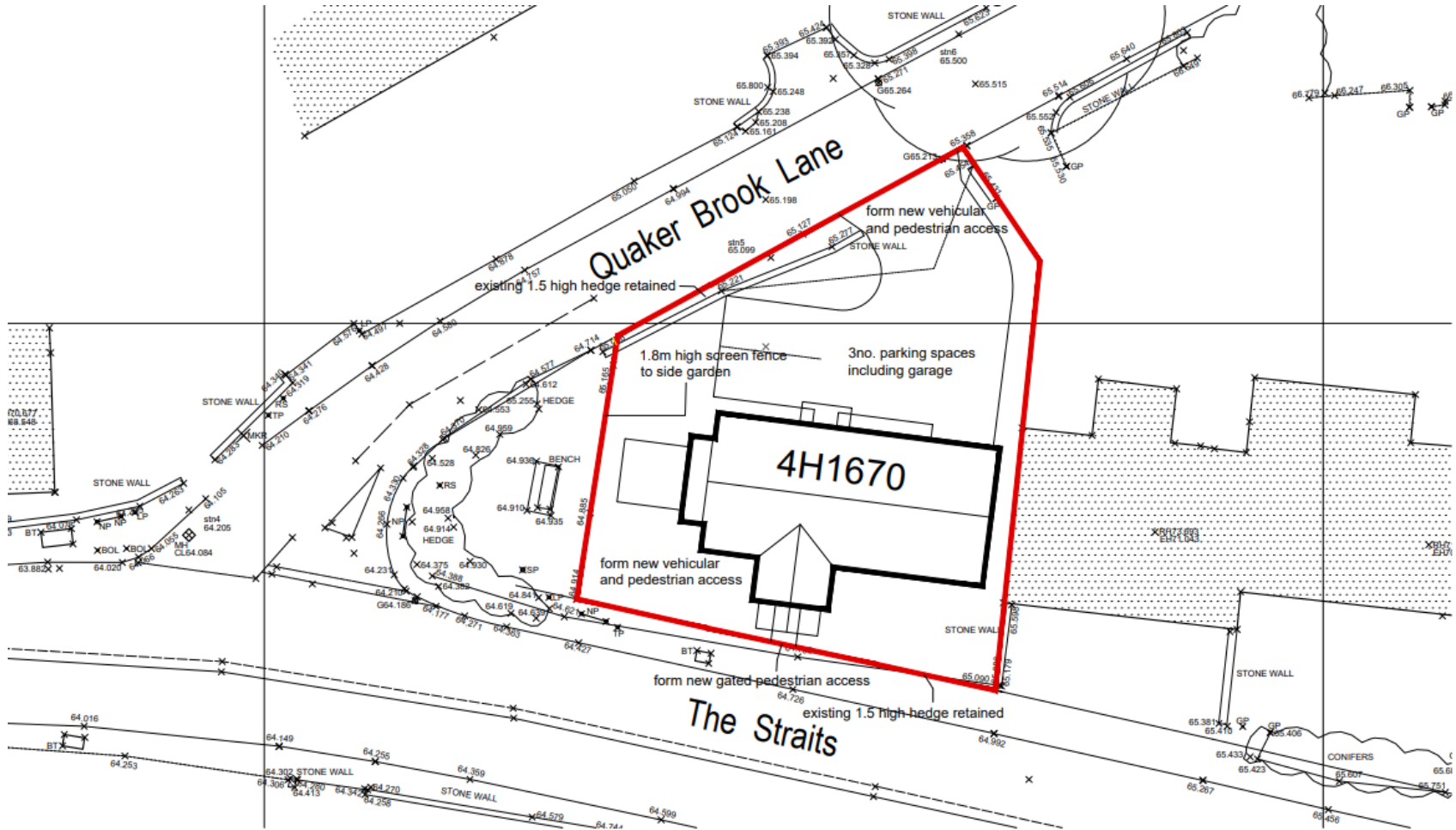
Location Plan



Aerial photo



Site plan



Street scenes



Elevations



FRONT

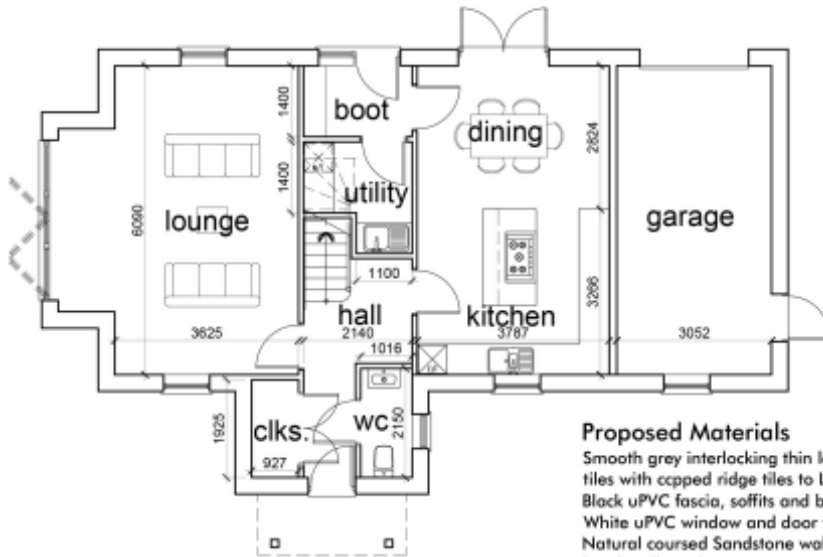
SIDE (R)



REAR

SIDE (R)

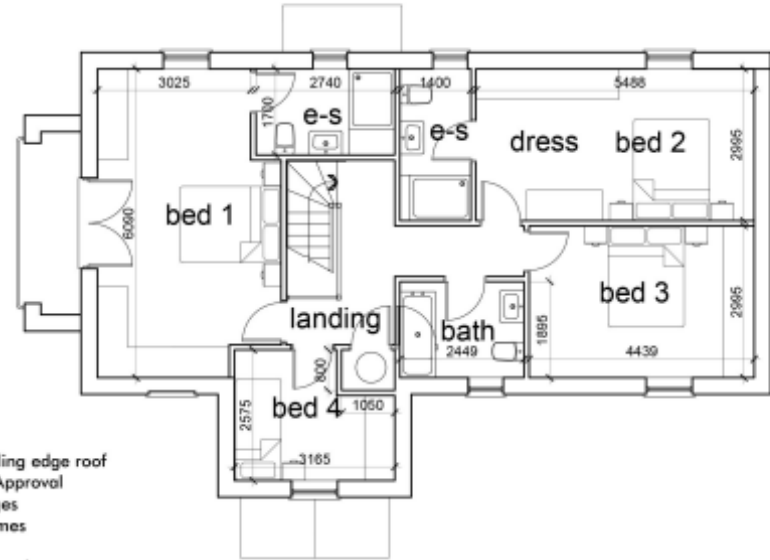
Floor plans



GROUND FLOOR

Proposed Materials

Smooth grey interlocking thin leading edge roof tiles with copped ridge tiles to LA Approval
 Black uPVC fascia, soffits and barge
 White uPVC window and door frames
 Natural coursed Sandstone walls, heads, sills and quoins to LA Approval
 Smooth white render to west gable



FIRST FLOOR

Site photo



Site photo



Site photo



Site photo



Street view looking west



Street view looking east



Quaker Brook Lane Street View



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Item 3b - 21/01052/FUL – The Post Office, The Straits, Houghton

The recommendation remains as per the original report

(1)No. further letter of objection has been received setting out the following issues:

The design is not in keeping with the surrounding cottages: The latest application has increased building height considerably and the materials used are not similar to the adjacent cottages.

Safety during construction: the plot is too small to facilitate construction and contractor vehicles during construction and using either Houghton lane or Quaker Brook lane will create a safety hazard. The junction has seen numerous accidents over the years.

Safety post construction: the design does not allow for adequate parking for visitors and the location of the entrance is on narrow lane incapable of allowing two vehicles to pass. Any parking roadside would severely affect safety of motorists and pedestrians using the road in addition to the accident black spot at the junction. The latest design has also removed a safety feature of a 2m wide footpath along Quaker Brook Lane.

A site visit is requested to understand the context of the proposed development.

The following conditions are recommended:

No.	Condition																					
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																					
2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="1" data-bbox="320 1279 1305 1536"> <thead> <tr> <th data-bbox="327 1288 743 1339">Title</th> <th data-bbox="743 1288 1007 1339">Drawing Reference</th> <th data-bbox="1007 1288 1305 1339">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="327 1339 743 1368">Location Plan</td> <td data-bbox="743 1339 1007 1368">20/089/L01</td> <td data-bbox="1007 1339 1305 1368">31 August 2021</td> </tr> <tr> <td data-bbox="327 1368 743 1397">Proposed Site Plan</td> <td data-bbox="743 1368 1007 1397">20/089/P20</td> <td data-bbox="1007 1368 1305 1397">31 August 2021</td> </tr> <tr> <td data-bbox="327 1397 743 1426">Proposed plans and elevations</td> <td data-bbox="743 1397 1007 1426">20/089/P06 Rev.A</td> <td data-bbox="1007 1397 1305 1426">20 October 2021</td> </tr> <tr> <td data-bbox="327 1426 743 1456">Proposed Street Scenes</td> <td data-bbox="743 1426 1007 1456">20/089/P13 Rev.B</td> <td data-bbox="1007 1426 1305 1456">20 October 2021</td> </tr> <tr> <td data-bbox="327 1456 743 1485">Landscape Proposals</td> <td data-bbox="743 1456 1007 1485">6656.06 Rev.A</td> <td data-bbox="1007 1456 1305 1485">31 August 2021</td> </tr> <tr> <td data-bbox="327 1485 743 1514">Tree Protection Plan</td> <td data-bbox="743 1485 1007 1514">6656.07 Rev.A</td> <td data-bbox="1007 1485 1305 1514">15 October 2021</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Location Plan	20/089/L01	31 August 2021	Proposed Site Plan	20/089/P20	31 August 2021	Proposed plans and elevations	20/089/P06 Rev.A	20 October 2021	Proposed Street Scenes	20/089/P13 Rev.B	20 October 2021	Landscape Proposals	6656.06 Rev.A	31 August 2021	Tree Protection Plan	6656.07 Rev.A	15 October 2021
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3.	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.</p> <p>The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.</p>																					

	<p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</p>
4.	<p>Prior to the erection of the superstructure of the dwelling hereby approved, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>
5.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species..</p> <p>Reason: In the interest of the appearance of the locality.</p>
6.	<p>The development hereby approved shall be carried out in accordance with the details contained in the approved Tree Protection Plan (Ref. 6656.07 Rev.A) and Arboricultural Impact Assessment and Method Statement (ref. MG/6656/AIA&AMS/REVA/OCT21) received 15 October 2021. All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the trees to be retained.</p>
7.	<p>The development hereby permitted shall only be carried out in conformity with the levels demonstrated on drawing ref.20/089/P13 Rev.B received on 20 October 2021, or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
8.	<p>The dwelling hereby approved is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
9.	<p>Prior to the erection of the superstructure of the dwelling hereby approved details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved</p>

	<p>details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
10.	<p>No tree felling, vegetation clearance works, or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.</p> <p>Reason: Nesting birds are a protected species.</p>
11.	<p>Prior to the commencement of any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed should be supplied to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the eradication and control of any invasive species, which are found on the site.</p>
12.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.</p> <p>Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</p>
13.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.</p> <p>Reasons: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.</p>
14.	<p>Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmac, concrete, block pavements, or other approved materials.</p> <p>Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.</p>
15.	<p>Prior to the commencement of development a Traffic Management Plan (TMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMA shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> • The parking of vehicles of site operatives and visitors;

	<ul style="list-style-type: none"> • Loading and unloading of plant and materials used in the construction of the development; • Storage of such plant and materials; • Wheel washing facilities; • Hours of operation (including deliveries) during construction • Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made) • Routes to be used by vehicles carrying plant and materials to and from the site; • Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties. <p>Reasons: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</p>
<p>16.</p>	<p>No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings.</p>
<p>17.</p>	<p>No development shall take place unless and until samples of the materials to be used on all external elevations, including the roof of the development, have been submitted to and approved in writing by the Local Planning Authority. The external walls of the development shall be erected in natural stone to match that of The Post Office building adjacent to the site, laid in regular courses all of an equal depth. The stonework and roofing material used throughout the development shall be consistent in terms of colour, size and texture with the approved samples.</p> <p>Reason: To protect the visual amenity and character of the area within which the site is located.</p>
<p>18.</p>	<p>Prior to their installation a sample and detailed specification for the proposed windows, doors and their frames shall be submitted to and approved in writing by the Local Planning Authority (such scheme to include any subsequent amendments as required by the Authority).</p> <p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>
<p>19.</p>	<p>All new window and doorframes to the building(s) shall be recessed a minimum of 75mm behind the external face of the stonework.</p> <p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>
<p>20.</p>	<p>Notwithstanding the plans hereby approved, and before any development commences on site, a scheme shall be submitted to and approved in writing for the location, design, colour and materials to be used in the treatment of verges and eaves and in the rainwater goods and above ground drainage pipes. The development shall proceed in strict accordance with the approved scheme.</p>

	<p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>
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APPLICATION REPORT – 21/01020/LBC

Validation Date: 20 August 2021

Ward: Chorley North West

Type of Application: Listed Building Consent

Proposal: Application for listed building consent for repairs and alterations primarily to wall 53 including: structural strapping, lime render application, and reinstatement and addition of stringcourses to wall 53; changes to the sill of window W78 and lintels/sills of window W75 including addition of brick lintel; minor window repairs including re-leading of windows; internal making good following window repairs; addition of leadwork dressings; and addition of pigeon deterrent system across South Range

Location: Astley Hall Astley Park, Park Road, Chorley PR7 1NP

Case Officer: Johndaniel Jaques

Applicant: Chorley Borough Council

Agent: Mr Geoff Maybank, Maybank Buildings Conservation

Consultation expiry: 28 September 2021

Decision due by: 16 November 2021 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that listed building consent is granted, subject to conditions.

SITE DESCRIPTION

2. The application relates to repairs and alterations primarily to wall 53 of Astley Hall, which is a grade I listed building. Astley Hall is a former manor house of fine example dating from the C16 and C17 with early C19 addition; and was repaired and restored from 1949. The Hall is situated within the grade II registered historic park and garden which is of special historic interest and a number of buildings within the curtilage are grade II listed in their own right.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. This is a part retrospective application and the works form additional repairs to the current scheme of repairs and restoration to Astley Hall approved under the previous application (20/00811/LBC). The details of the proposal are fully set out in the Design, Access, Flood & Heritage Statement which accompanies the application for listed building consent and are summarised below:
 - 1) structural strapping, lime render application, and reinstatement and addition of stringcourses to wall 53
 - 2) changes to the sill of window W78 and lintels/sills of window W75 including addition of brick lintel
 - 3) minor window repairs including re-leading of windows
 - 4) internal making good following window repairs
 - 5) addition of leadwork dressings

- 6) addition of pigeon deterrent system across South Range

REPRESENTATIONS

4. No representations have been received.

CONSULTATIONS

5. Historic England – Do not wish to offer any comments.
6. Friends of Astley Hall - No comments have been received.
7. The Gardens Trust - Do not wish to offer any comments.
8. Lancashire Gardens Trust - No comments have been received.
9. Friends of Astley Park - No comments have been received.
10. Lancashire County Council (LCC) Archaeology Service – Have no objections but recommend a condition regarding implementation of a programme of archaeological works.
11. Ancient Monuments Society - No comments have been received.
12. The Council for British Archaeology - No comments have been received.
13. SPAB - No comments have been received.
14. The Georgian Group - No comments have been received.
15. The Victorian Society - No comments have been received.
16. Twentieth Century Society - No comments have been received.

PLANNING CONSIDERATIONS

17. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the principle duty that a Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Great weight and importance is attached to this duty.
18. The National Planning Policy Framework 2021 (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It recognises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The following paragraphs contained therein are considered to be pertinent in this case:
19. Paragraph 197 provides that in determining applications, Local Planning Authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
20. At paragraph 199 the Framework provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight

should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

21. At paragraph 200 the Framework confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:
 - a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;
 - b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

21. Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:
 - a) the nature of the heritage asset prevents all reasonable uses of the site; and
 - b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
 - c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
 - d) the harm or loss is outweighed by the benefit of bringing the site back into use.

22. At paragraph 202 the Framework provides that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

23. Paragraph 205 sets out that Local Planning Authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly accessible. However, the ability to record evidence of our past should not be a factor in deciding whether such loss should be permitted.

24. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
 - a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
 - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
 - c) Identifying and adopting a local list of heritage assets for each Authority.

25. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:
 - a) Applications affecting a Heritage Asset or its setting will be granted where it:
 - i. Is in accordance with the Framework and relevant Historic England guidance;
 - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
 - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;
 - b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself

and the surrounding historic environment and where they show consideration for the following:

- i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
- ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
- iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
- iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
- v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
- vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.

The policy also states that development involving the demolition or removal of significant heritage assets or parts thereof will be granted only in exceptional circumstances which have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.

26. The works identified in the application are essential repairs/maintenance and are set out above. The application is informed by a Design, Access, Flood & Heritage Statement (Maybank Building Conservation - August 2021). The Heritage Statement sets out the schedule of repairs at Section 6.2.
27. The assessment as set out in the submitted Heritage Statement provides a Heritage Impact Assessment and its findings of some works having a negative impact of change on this part of the building are accepted. Some elements of the historic fabric of the building will be removed, so will cause some visual change. However, the works are considered to be essential maintenance/repairs and are part of a wider project which will enhance the appearance of the building and better sustain the future use of the building as a cultural attraction. It is considered that the proposed works are appropriately justified in the submission.
28. Whilst some visual change will occur this is not considered to translate into significant levels of harm or loss of significance. The proposal seeks to minimise the harm or loss of significance and are adequately justified. Overall, the proposal is considered to represent positive works for the building and will help sustain the use of the Hall into the future, which is afforded significant weight in accordance with the requirements of paragraph 202 of the Framework (which requires the Local Planning authority to consider the desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation). Taking the proposal as a whole, as the Local Planning Authority are required to do, the benefits far outweigh any identified harm and, therefore, on balance it is considered that the application meets the duty to preserve (S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990) the objectives of Chapter 16 of the Framework, policy 16 of the Core Strategy and policy BNE8 of the Local Plan.
29. It is further considered that the proposal would not harm the significance of the Historic Park and Garden in which Astley hall sits.
30. Details in relation to implementation of a programme of archaeological works is recommended to be secured by condition.

CONCLUSION

31. There will be some negative impacts as a result of removal of the historic fabric of the building and, therefore, some visual change as a result of the proposed works which are essential maintenance/repairs. The impacts are not considered to be a significant level of harm or loss of significance, and any harm has been sought to be minimised. In addition, the proposal is adequately justified. Overall, the proposal is considered to represent positive works for the building and will help sustain the use of the Hall use into the future as a cultural attraction. The benefits of the proposal taken as a whole would far outweigh any identified harm and, therefore, on balance it is considered that the application is acceptable and accords with the duty to preserve (S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990), the objectives of Chapter 16 of the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

32. Suggested conditions

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

Title	Plan Ref	Received On
Location Plan	Astley Hall Conservation Scheme (1:7500 scale)	20 August 2021
Site Plan	Astley Hall Conservation Scheme (1:2500 scale)	20 August 2021
Block Plan	Astley Hall Conservation Scheme (1:1250 scale)	20 August 2021
Ground Floor Plan Existing	3148-001 Rev. A	20 August 2021
First Floor Existing	3148-002 Rev. A	20 August 2021
Basement and Second Floor Plans Existing	3148-003	20 August 2021
Roof Plan Existing	3148-004	20 August 2021
West Elevation Existing	3148-010 Rev. A	20 August 2021
Wall 53 Repair	3148-124 Rev. C (LBC)	20 August 2021
Proposed Stiffening to Wall 53	003 Rev. B	20 August 2021

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

2. The proposed works shall be carried out in accordance with the application, plans, and accompanying documentation, except where modified by any condition.

Reason: For the avoidance of doubt and to specify the proposed works.

3. Within 3 months of the date of this decision a full standing watching brief report that has been undertaken by an appropriately qualified and experienced professional contractor shall be submitted to and approved in writing by the Local Planning Authority. The report shall include a detailed record of the fabric of the area dealt with by this application, to the standards and guidance set out by the Chartered Institute for Archaeologists, as well as full details of the works undertaken

Reason: To ensure that matters of archaeological/historical importance associated with the building are documented.

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted

Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

RELEVANT HISTORY OF THE SITE

- Ref:** 90/00253/COU **Decision:** PERFPP **Decision Date:** 3 July 1990
Description: Change of use of agricultural dwelling to office accommodation
- Ref:** 07/00243/LBC **Decision:** PERLBC **Decision Date:** 19 November 2007
Description: Construction of 2.7m to 2.1m high brick wall between lean to of boiler house and corner of the rear of Astley Hall
- Ref:** 08/00060/LBC **Decision:** WDN **Decision Date:** 14 August 2008
Description: Listed Building Consent for the installation of six CCTV cameras on Astley Hall and The Coach House
- Ref:** 08/00884/CB3 **Decision:** PERFPP **Decision Date:** 4 February 2009
Description: Installation of a CCTV system including six cameras (located on Astley Hall, The Coach House, wall mounted and on poles in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House
- Ref:** 08/00885/LBC **Decision:** PERLBC **Decision Date:** 4 February 2009
Description: Listed Building Consent for the installation of a CCTV system including six cameras (located on Astley Hall, The Coach House and wall mounted in the grounds) and eight loudspeaker horns on the roof of Astley Hall and The Coach House
- Ref:** 12/00750/LBC **Decision:** PERLBC **Decision Date:** 13 November 2012
Description: Repairs to stone archway, gates, side pillars and adjacent landscaping including: re pointing ashlar stonework; stone repairs with lime repair mortar; stone piecing-in repairs; renovation of gates; replacing corroding iron cramps; lifting and re bedding coping stonework; fitting of new metal capping to head of archway; making good adjacent landscaping
- Ref:** 18/00178/CB3 **Decision:** PERFPP **Decision Date:** 25 April 2018
Description: Creation of covered event and performance space within the Walled Garden adjacent to Astley Hall
- Ref:** 18/00179/LBC **Decision:** PERLBC **Decision Date:** 25 April 2018
Description: Listed Building Consent for: Alterations to structure within the Walled Garden adjacent to Astley Hall to create a covered events and performance space
- Ref:** 18/00608/DIS **Decision:** PEDISZ **Decision Date:** 3 July 2018
Description: Application to discharge condition no.4 (sample materials) to permission granted under 18/00178/CB3: Creation of covered event and performance space within the Walled Garden adjacent to Astley Hall
- Ref:** 20/00811/LBC **Decision:** PERLBC **Decision Date:** 7 October 2020
Description: Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door
- Ref:** 20/00930/LBC **Decision:** PERLBC **Decision Date:** 9 December 2020

Description: Application for listed building consent for repairs and minor alterations to the north-eastern cottage wing of the Astley Hall to include: (1) repointing brickwork and stonework, (2) re-facing or replacement of a stone plaque (3) render repairs (4) tying back of a brick gable, (5) window repairs and replacement (6) timber frame repairs, (7) replacement of failing cementitious infill panels, (8) leadwork renewal, (9) roof repairs and recovering and (10) improvement of rainwater goods

Ref: 21/00118/DIS

Decision: PEDISZ

Decision Date: 26 April 2021

Description: Application to discharge conditions nos.6 (details of ramp) and 7 (details of windows) of listed building consent 20/00811/LBC (Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door)

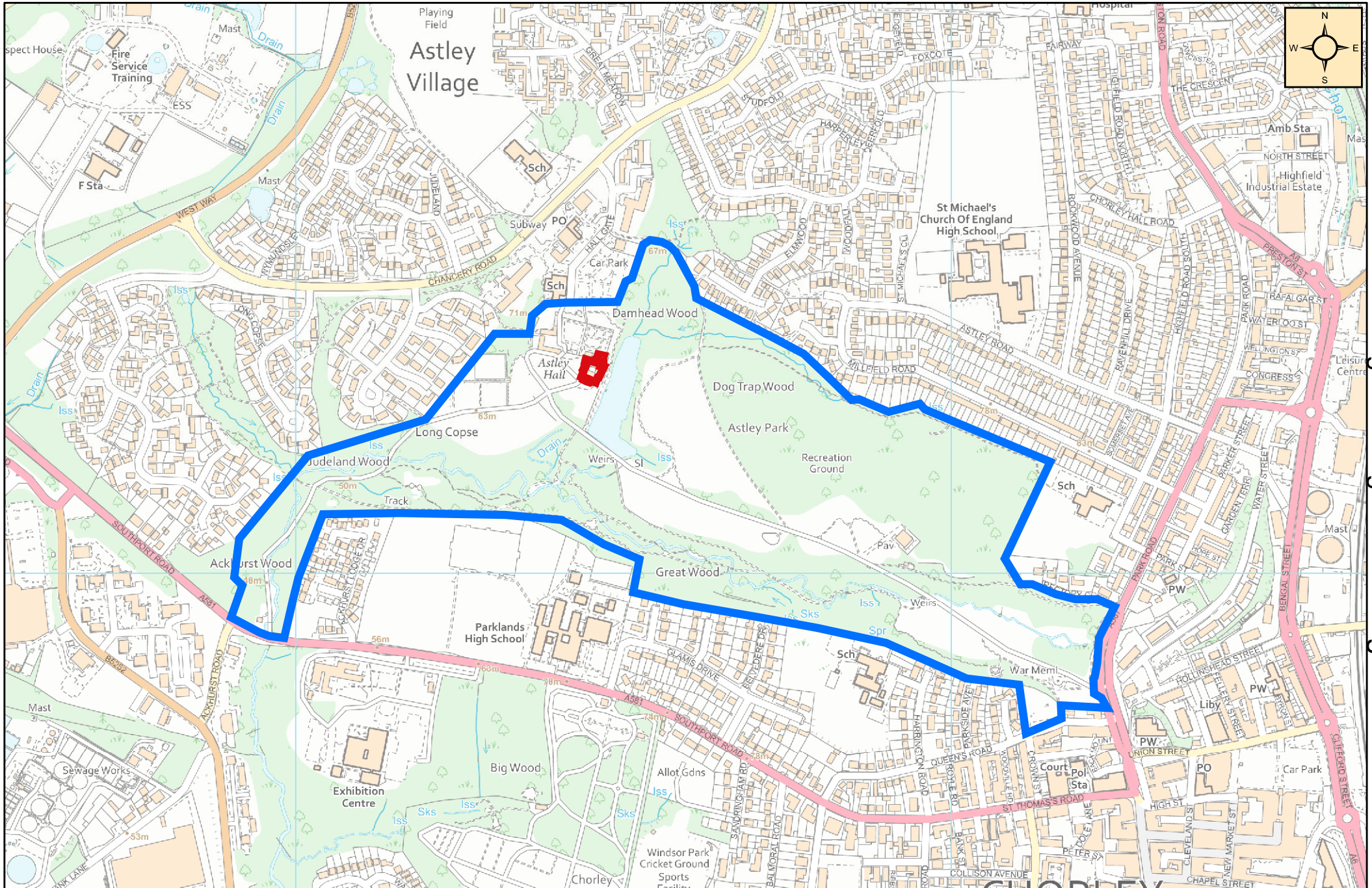
Ref: 21/00316/DIS

Decision: PCO

Decision Date: Pending

Description: Application to discharge condition no.5 (repair methodology) of listed building consent 20/00811/LBC (Application for listed building consent for repairs and alterations to the south range of Astley Hall to include: (1) the removal of failing C19th concrete render to the exterior. (2) repair of the exposed C17th brick and stone façade. (3) repointing of brickwork and masonry. (4) stitching of movement cracks with stainless steel helical bar. (5) new leadwork cappings. (6) redecoration of the facade with limewash or breathable paint (if required). (7) rebuilding of the second-floor leaded light windows, retaining glazing. (8) replacement of the failing ground and first floor timber windows. (9) new chimney and buttress stone capping. (10) internal lime plaster repairs. (11) repair to internal window boards. (12) minor oak panelling repair and re-fixing. (13) provision of new access ramp to the west door)

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Planning
Committee Meeting

7 November 2021



Item 3c

21/01020/LBC

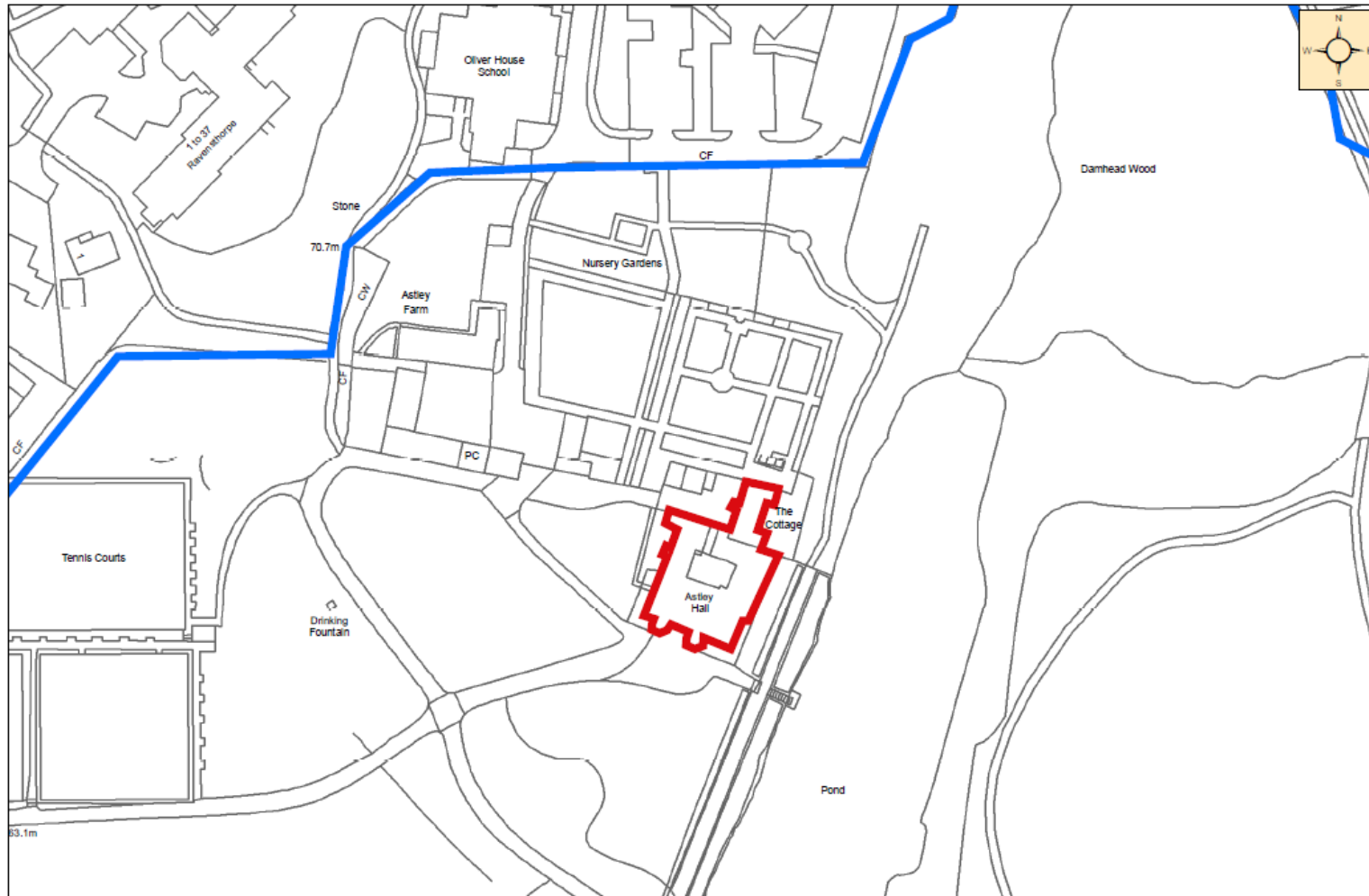
Astley Hall, Astley Park, Park Road, Chorley PR7 1NP

Application for listed building consent for repairs and alterations primarily to wall 53 including: structural strapping, lime render application, and reinstatement and addition of stringcourses to wall 53; changes to the sill of window W78 and lintels/sills of window W75 including addition of brick lintel; minor window repairs including re-leading of windows; internal making good following window repairs; addition of leadwork dressings; and addition of pigeon deterrent system across South Range

Location plan



Astley Hall Conservation Scheme



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1:1,250

Aerial Imagery



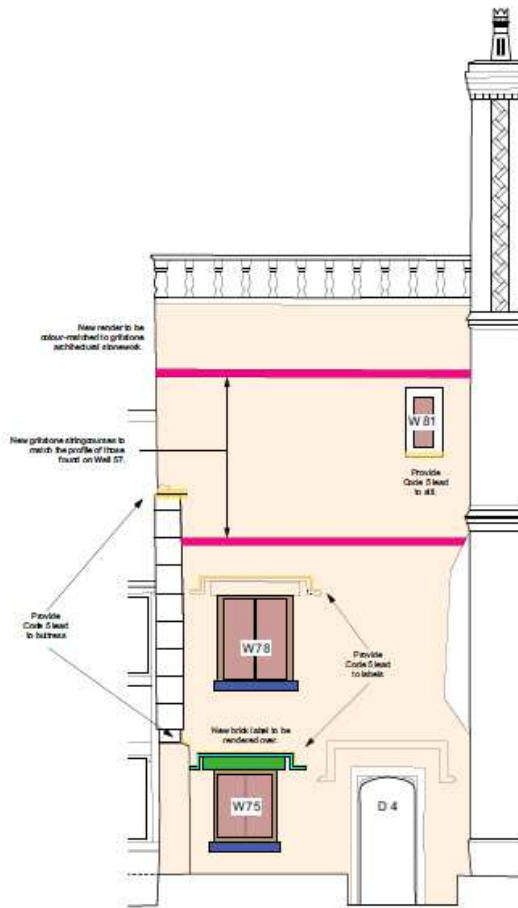
Existing Elevations



11.69 in

EXISTING

Proposed Elevation of Wall 53



PHASE 1 REPAIR

- New Lime Render
- New Code 2 Lead
- New Glistone Stringcourse
- New Brick Headcourse
- New Redwood Concrete Sill
- New Glistone Sill
- Reveal window
- Timber Window Frame Repair

**BUILDINGS
ARCHAEOLOGY
LIMITED**

maybank
BUILDINGS CONSERVATION
Mawden, West Yorkshire
www.maybankbuildingsconservation.co.uk
info@mbc-p.co.uk
Tel: 01974 30330

Client:
Chorley Borough Council
Civic Office, Union Street
Chorley, Lancashire
PR7 1AG

Project:
Adey Hall, Chorley,
Lancashire, PR7 1AP
Job Number:
MBC/2021

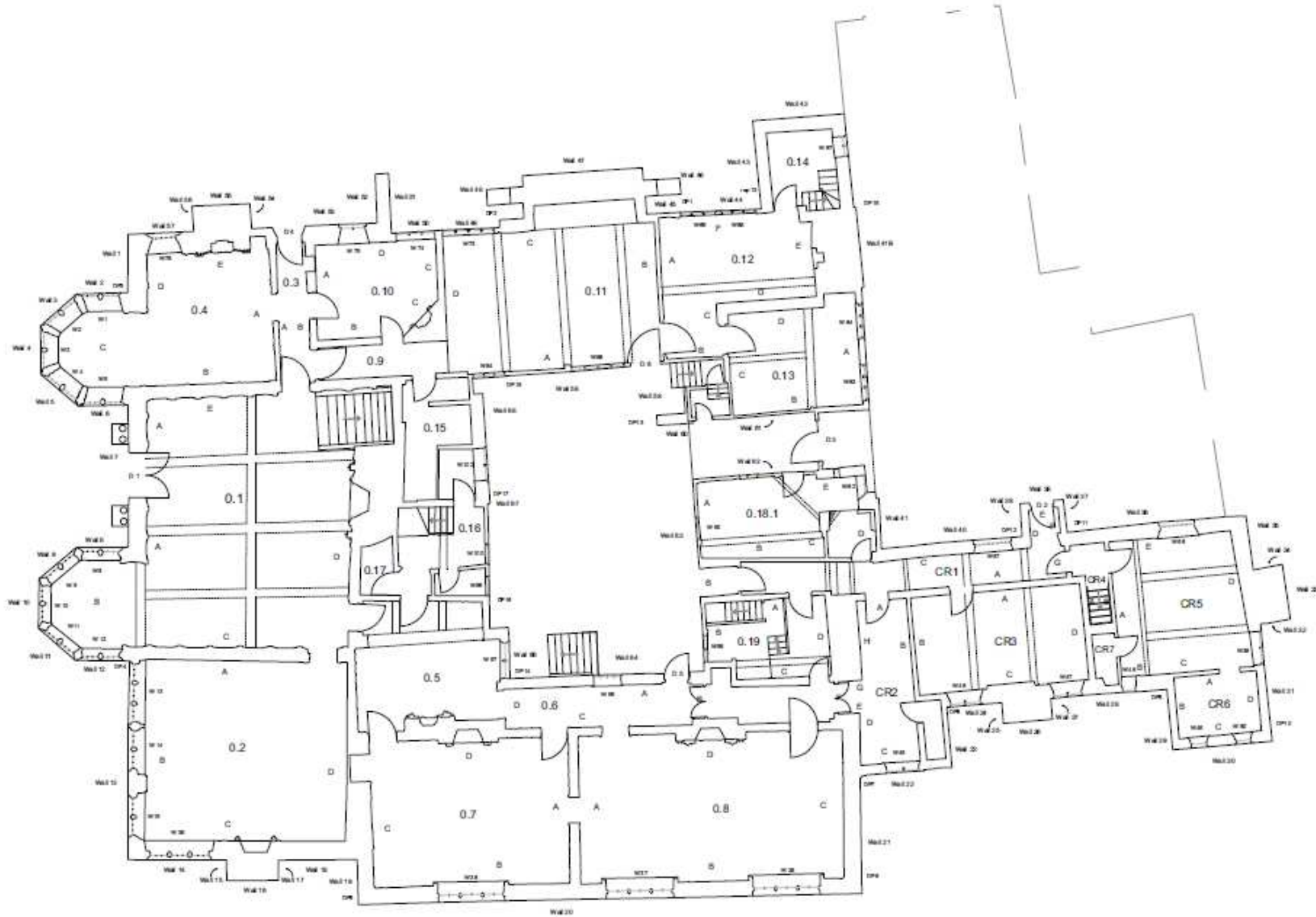
Title:
Wall 53 Repair

Date: 14/08/2021
Scale: 1:50 at A3

Drawing Number: 3148-126
Revision: C (LBC)

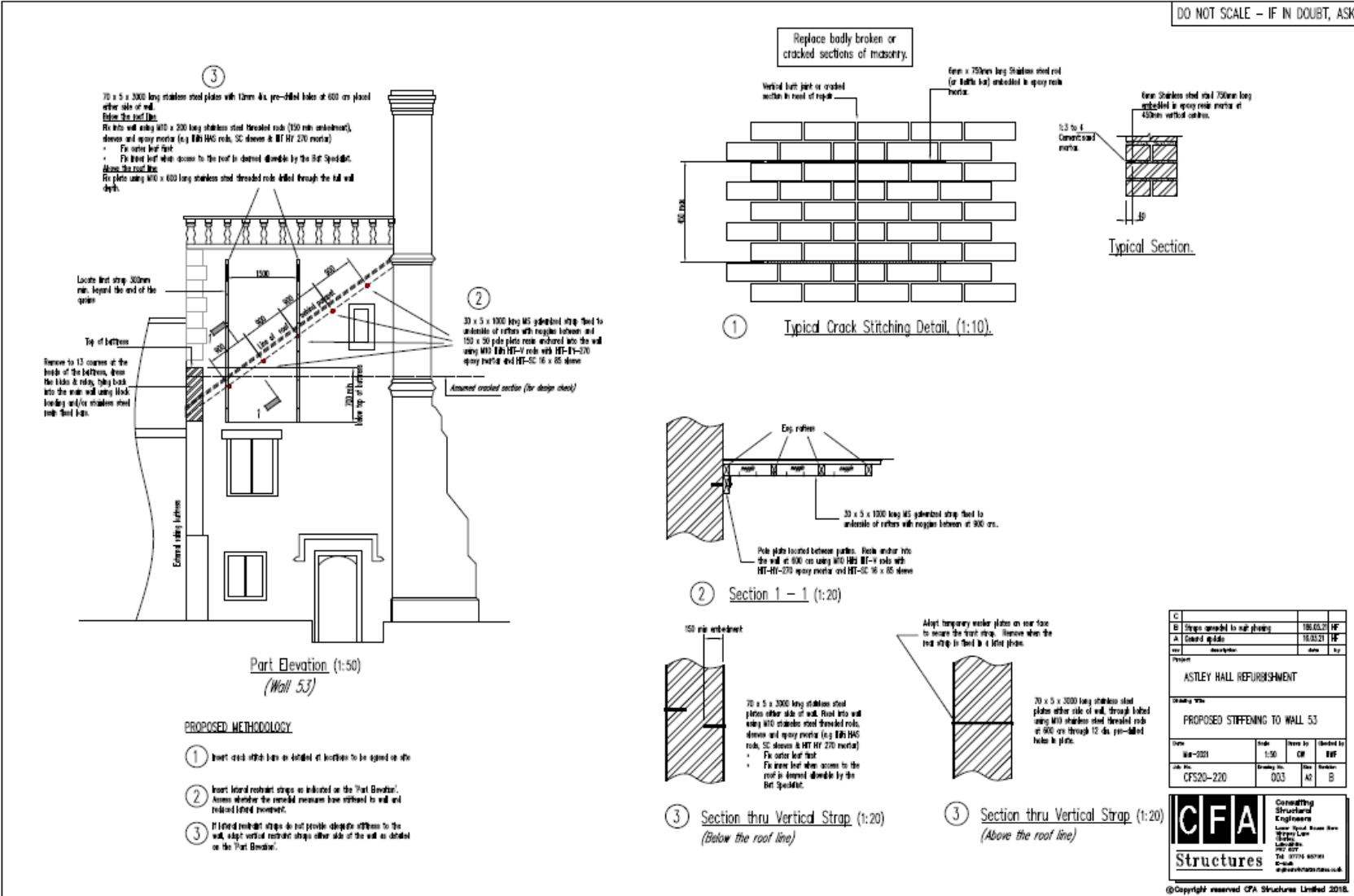
Drawing by: Gw Smith

Existing Ground Floor Plan



Proposed stiffening to Wall 53

DO NOT SCALE - IF IN DOUBT, ASK



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Location of proposed pigeon deterrent system

Yellow – single spring wire system

Red- double spring wire system



Pigeon deterrent system - Contd.



Pigeon deterrent system - Contd.

Example of 2 rows spring wire.



Photo 1 – Wall 53



Photo 2 – roof behind wall 53



Photo 3 – Side elevation



Photo 4 – Front elevation



Photo 5 – Other side elevation



Report of	Meeting	Date
Director of Planning and Development	Planning Committee	9 November 2021

PROPOSED CONFIRMATION CHORLEY BOROUGH COUNCIL TPO NO.4 (CLAYTON LE WOODS) 2021

PURPOSE OF REPORT

1. To consider formal confirmation of the Chorley Borough Council TPO No.4 (Clayton Le Woods) 2021.

RECOMMENDATION

2. Formal confirmation of the Order. This affords permanent as opposed to provisional legal protection to the trees covered by the Order.

EXECUTIVE SUMMARY OF REPORT

3. Formal confirmation of the Order affords permanent as opposed to provisional legal protection to the tree covered by the Order. Not to confirm the Order would mean allowing the Order, and thereby the protection conferred on the trees covered by the Order to lapse.

Confidential report Please bold as appropriate	Yes	No
--	-----	-----------

CORPORATE PRIORITIES

4. This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all	x	A strong local economy	
Clean, safe and healthy communities		An ambitious council that does more to meet the needs of residents and the local area	

BACKGROUND

5. The Order was made on 16 June 2021. The Order was made and served along with the statutory notice prescribed in Regulations on all those with an interest in the land on which the trees are situated on the 16 June 2021. The Order was made because on the assessment of the Council's Tree Officer and Chief Planning Officer the trees make a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public and that their removal would have a significant impact on the environment and its enjoyment by the public.
6. One letter of objection was received, from the occupants of no.556 Preston Road Clayton-Le-Woods Chorley PR6 7EB. This property is immediately adjacent to the land with the protected trees on.

7. **Summary of Objections and Officer Response**

The trees in G1 are not clearly visible to the public.

The trees within G1 are visible from the A6 (Preston Road), Radburn Brow and Radburn Close.

There are thousands of trees in more public locations within Clayton Le Woods.

This is correct, however many of these trees are on Chorley Council land, under LCC’s control or in Cuerden Valley Park and, therefore, are not under any known threat. TPO No.4 (Clayton Le Woods) 2021 was made in response to a known threat to these trees.

The trees may cause damage to a fence and a summerhouse.

The Order does not prevent work being undertaken. A tree works application can be made. While any application would be considered on its own merit, property being damaged is generally seen as good justification for work to protected trees.

The trees within G1 are in poor condition and dead branches fall which could damage property.

Dead wood can be removed without permission. The owner of the trees has a duty of care to adjacent residents regardless of the TPO. Safety issues are generally seen as good justification for work to protected trees.

Many of the trees within G1 were classed as category C in the tree survey for 17/00464/FULMAJ and placing TPOs on them will prevent care and maintenance.

The trees in this group were classed as category B and C. The life expectancy stated in the survey is only an estimate. These trees are now more important because of the loss of many other trees from the site. The TPO will not prevent maintenance where there is adequate justification for the work.

The trees shade the garden of no.556 Preston Road.

Excessive shading can be alleviated by a tree works application for sympathetic pruning.

8. The objections have been considered and it is not proposed to revoke or vary the Order.

9. It is, therefore, now open to the Council to confirm the above Order. The effect of formally confirming the Order will be to give permanent legal force to the Order, as opposed to provisional force, thereby making it an offence on a permanent basis to fell or otherwise lop, prune etc, any tree covered by the Order without first having obtained lawful permission.

IMPLICATIONS OF REPORT

10. This report has implications in the following areas and the relevant Directors’ comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	x	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

11. If the tree were to be lopped or pruned or chopped in breach of the order the Council would incur staff costs in any criminal investigation and prosecution. Staff costs in the Planning Department are also involved when dealing with applications for consent to work to protected trees. All costs would be managed within existing budgets.

COMMENTS OF THE MONITORING OFFICER

12. The legal effect of the order and the consequences of breach are addressed within the body of the report.

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Bill Whisker	01257 515642	1 November 2021	

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Tree Preservation Order

Town and Country Planning Act 1990

The Chorley Borough Council Tree Preservation Order No.4 (Clayton-Le-Woods) 2021

Chorley Borough Council in exercise of the powers conferred on them by section 198 of the Town and Country Planning Act 1990 make the following Order -

Citation

This Order may be cited as The Chorley Borough Council Tree Preservation Order No.4 (Clayton-Le-Woods) 2021

Interpretation

- 1. (1) In this Order "the authority" means Chorley Borough Council.
- (2) In this Order any reference to a numbered section is a reference to the section so numbered in the Town and Country Planning Act 1990 and any reference to a numbered regulation is a reference to the regulation so numbered in the Town and Country Planning (Tree Preservation)(England) Regulations 2012.

Effect

- 2. (1) Subject to article 4, this Order takes effect provisionally on the date on which it is made.
- (2) Without prejudice to subsection (7) of section 198 (power to make tree preservation orders) or subsection (1) of section 200 (tree preservation orders: Forestry Commissioners) and, subject to the exceptions in regulation 14, no person shall —
 - (a) cut down, top, lop, uproot, wilfully damage, or wilfully destroy; or
 - (b) cause or permit the cutting down, topping, lopping, uprooting, wilful damage or wilful destruction of,

any tree specified in the Schedule to this Order except with the written consent of the authority in accordance with regulations 16 and 17, or of the Secretary of State in accordance with regulation 23, and, where such consent is given subject to conditions, in accordance with those conditions.

Application to trees to be planted pursuant to a condition

- 3. In relation to any tree identified in the first column of the Schedule by the letter "C", being a tree to be planted pursuant to a condition imposed under paragraph (a) of section 197 (planning permission to include appropriate provision for preservation and planting of trees), this Order takes effect as from the time when the tree is planted.

Dated this 16th day of June 2021

The Common Seal of Chorley Borough Council

was affixed to this Order in the presence of:]



.....]
Authorised Signatory – Chris Moister – Director of Governance



21471

CONFIRMATION OF ORDER

This Order was confirmed by Chorley Borough Council without modification on the [] day of []

OR

This Order was confirmed by Chorley Borough Council, subject to the modifications indicated by [] on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

DECISION NOT TO CONFIRM ORDER

A decision not to confirm this Order was taken by Chorley Borough Council on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

VARIATION OF ORDER

This Order was varied by the Chorley Borough Council on the [] day of [] by a variation order under reference number [] a copy of which is attached.

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

REVOCATION OF ORDER

[This Order was revoked by Chorley Borough Council on the [] day of []

Signed on behalf of the Chorley Borough Council

.....

Authorised by the Council to sign in that behalf

SCHEDULE

Specification of trees

Trees specified individually

(encircled in black on the map)

<i>Reference on map</i>	<i>Description</i>	<i>Situation</i>
T1	ash	Prominent stand-alone tree North of the apartments away from group G3

Groups of trees

(shown inside the black dotted line on the map)

Number on the Map	Description	Type	Location
G1	9 Sycamore 2 Holly 2 Pine	Group of 13 trees	South west corner of the site bounded by residential gardens and a car park
G2	14 Holly 4 Sycamore 3 Pine 4 Lime 1 Yew	Group of 26 trees	Forms the southern boundary between the apartment building and the properties on Radburn Close
G3	11 Holly 3 Lime 1 Hawthorn 1 Sycamore 1 Ash 4 Oak 3 Pine	Group of 24 trees	Forms the eastern boundary between the apartments and Westwood Primary School



CHORLEY BOROUGH COUNCIL**Town and Country Planning (Tree Preservation) (England) Regulations 2012**

Chorley Borough Council Tree Preservation Order No.4 (Clayton-Le-Woods) 2021

To: The Owners, Occupiers and adjacent landowners

Of: Land to the East Side of Preston Road, Clayton-Le-Woods, Chorley registered at the land registry under title number LA964988

THIS IS A FORMAL NOTICE to let you know that on 16 June 2021 we made the above Tree Preservation Order.

A copy of the Order is enclosed. In simple terms, no one is allowed to cut down, top or lop without permission the trees described in the 1st Schedule of the Order and shown on the map.


We have made the Order because we consider that the trees makes a valuable contribution to the visual amenity of the area, being prominently situated and clearly visible to the public. There removal would have a significant impact on the environment and its enjoyment by the public.

People affected by the Order have a right to object or make comments on the trees covered before we decide whether the Order should be made permanent. If you would like to make any objections or comments, please make sure we receive them by 19th July 2021.

Your comments must meet Regulation 6 of the Town and Country Planning (Tree Preservation) (England) Regulations 2012 a copy of which is attached. Please send your comments to Legal Services, Town Hall, Market Street, Chorley PR7 1DP. We will carefully consider all objections and comments before deciding to make the order permanent.

We will write to you again when we have made our decision. In the meantime, if you would like any more information or have any questions about this letter, please contact Adele Hayes Chorley Council, Partnerships, Planning and Policy, Planning, Union Street, Chorley PR7 1AL (telephone: 01257 515151).

Dated this 16 June, 2021



.....
Director of Governance
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

**COPY OF REGULATION 6 OF THE
TOWN AND COUNTRY PLANNING (TREE PRESERVATION) (ENGLAND) REGULATIONS
2012**

Objections and representations

6.—(1) Subject to paragraph (2), objections and representations—
(a) shall be made in writing and—

(i) delivered to the authority not later than the date specified by them under regulation 5(2)(c); or

(ii) sent to the authority in a properly addressed and pre-paid letter posted at such time that, in the ordinary course of post, it would be delivered to them not later than that date;

(b) shall specify the particular trees, groups of trees or woodlands (as the case may be) in respect of which such objections and representations are made; and

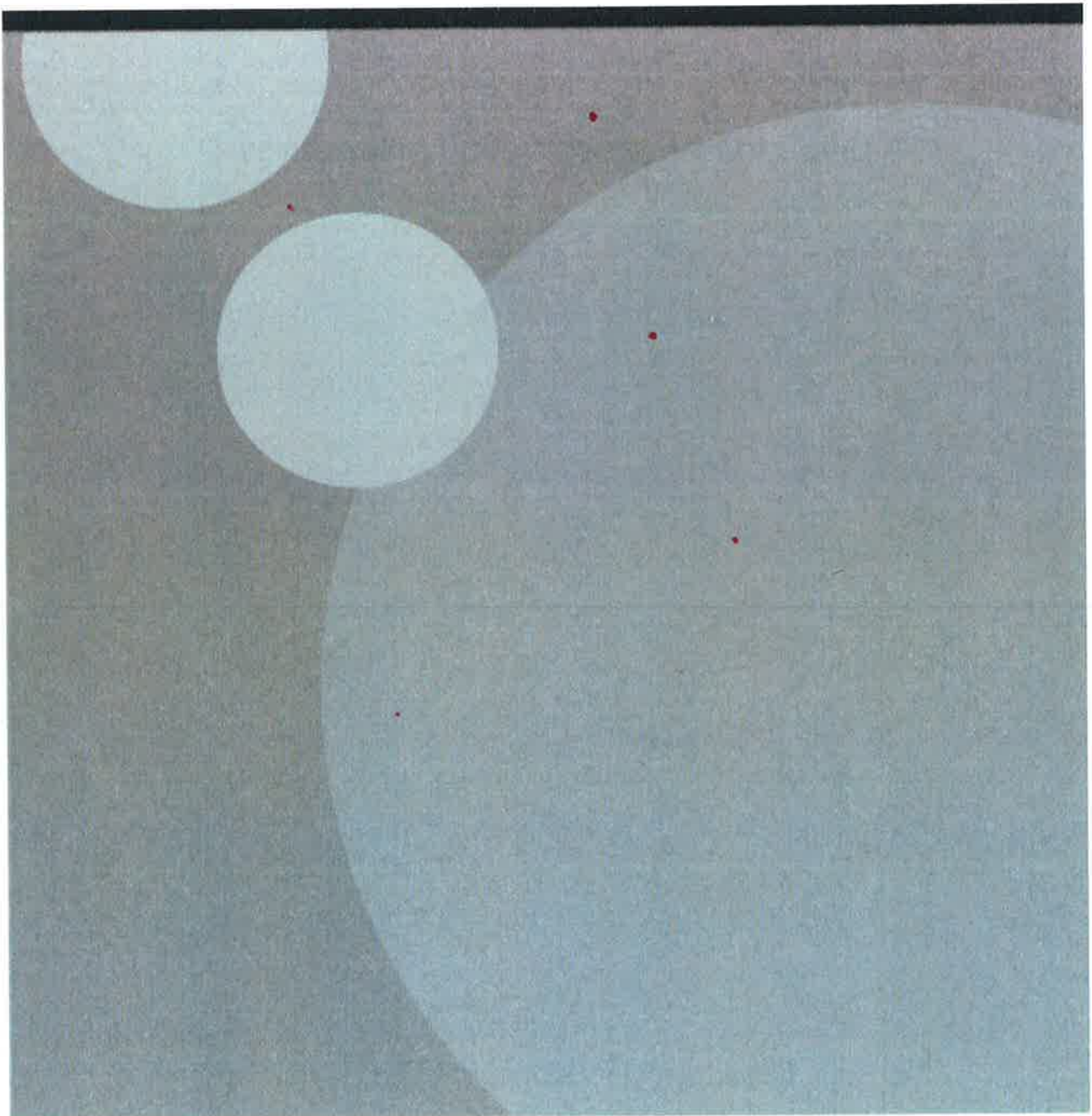
(c) in the case of an objection, shall state the reasons for the objection.

(2) The authority may treat as duly made objections and representations which do not comply with the requirements of paragraph (1) if, in the particular case, they are satisfied that compliance with those requirements could not reasonably have been expected.



Protected trees

A guide to tree preservation procedures



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This document/publication is also available on our website at www.communities.gov.uk

Any enquiries regarding this document/publication should be sent to us at:

Department for Communities and Local Government
Eland House
Bressenden Place
London
SW1E 5DU
Telephone: 030 3444 0000

April, 2012

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5. If I see work being carried out on a protected tree, how can I find out if the owner has permission?

Check with the local planning authority, which will have a register of applications and decisions that you can look at.

6. There are trees which I think should be protected by a tree preservation order. What can I do?

Contact the local planning authority, giving details of the trees and the reasons why you think the trees should be protected.

7. When does a tree preservation order come into effect?

Provisional protection comes into effect as soon as the local planning authority makes the order. The authority will then need to confirm the order to provide long-term protection.

8. How will I know when a local planning authority makes a tree preservation order?

The authority will write to those who may have a right to work on the tree, generally the tree owner and sometimes others, such as tenants and neighbours. Copies of new orders are also available for inspection at the planning authority's offices.

9. How can I object to or express support for a new tree preservation order?

Write to the local planning authority within the period it allows for comment (usually 28 days), identifying the tree or trees in question and giving your reasons.

The authority will take your comments into account when deciding whether or not to confirm the order. The authority can also modify an order when it confirms it, for example to exclude some of the trees.

10. Does the local planning authority become responsible for looking after protected trees?

No. Owners remain responsible for trees covered by tree preservation orders, their condition and any damage they may cause. But the authority's permission is usually required before any work is carried out to the trees (see questions 11-14).

The authority may be able to offer help and advice on how the trees should be managed.

11. What if I want to work on a tree covered by a tree preservation order?

Apart from special exceptions (see questions 13-15) you (or your agent) must seek permission from the local planning authority by submitting a standard application form to it. The form is available from the Planning Portal (www.planningportal.gov.uk) or the authority. It is important to clearly specify

- by or at the request of certain organisations listed in the regulations (see Further information at the end of this leaflet).

3) removing dead branches from a living tree

If you are in any doubt about what needs permission, check with the local planning authority (see question 14).

14. What happens if I carry out work on a protected tree without permission?

If you deliberately destroy a protected tree, or damage it in a manner likely to destroy it, **you could be liable to an unlimited fine**. You could also be fined if you cause or permit such work. Other offences can lead to fines of up to £2,500.

15. When will I have to plant a replacement tree?

You will have to replant:

- 1) if you cut down or destroy a protected tree:
 - in breach of a tree preservation order, or
 - because the tree is dead or dangerous;
- 2) if the local planning authority gives you permission to cut down a protected tree but makes replanting a condition of its consent;
- 3) in most cases where the Forestry Commission grants a felling licence.

Local planning authorities have legal powers to ensure that you plant a replacement tree when required.

16. What if my application to carry out work under a tree preservation order is refused, or I object to the conditions imposed by the local planning authority?

You can appeal to the Secretary of State for Communities and Local Government in writing within 28 days of receiving the local planning authority's decision. The authority will give you the address. The Secretary of State may allow or dismiss the appeal, or vary the original decision.

Further information about tree preservation and tree replacement appeals is on the Planning Portal (www.planningportal.gov.uk).

17. Can I get compensation if my application to carry out work under a tree preservation order is refused or conditions are imposed?

In certain circumstances which are set out in the legislation (see Further information) you can seek compensation from the local planning authority for loss or damage which results from the authority refusing consent or granting consent with conditions. However, the legislation sets limitations and strict criteria that must be met. See question 11 regarding the need for adequate information to support your case.

22. What happens to tree preservation orders made before 6 April 2012 under old procedures?

On 6 April 2012 the Town and Country Planning (Tree Preservation)(England) Regulations 2012 introduced a single set of procedures for all trees covered by tree preservation orders. Consequently:

- orders made before 6 April 2012 continue to protect the trees they cover and answers to earlier questions apply;
- the legal provisions listed in orders made before 6 April 2012 have been automatically cancelled and replaced by the provisions in the new regulations. Only the information necessary to give these orders legal effect and identify the trees they protect is retained;
- there is no need for existing orders to be remade, amended or reissued.

Further information

You can find out more about felling licences in the Forestry Commission's booklet *Tree Felling – getting permission* (www.forestry.gov.uk or telephone 0161 495 4845).

You can find out more about tree preservation orders in the Town and Country Planning (Tree Preservation) (England) Regulations 2012, which are available through www.legislation.gov.uk or TSO (telephone 0870 600 5522) and some public libraries.

You can also find more information about the tree preservation order and planning systems on the Planning Portal (www.planningportal.gov.uk).

You may also find it helpful to refer to the local planning authority's website for information on tree protection in the local area.

There is guidance on selecting a tree expert at www.tree-care.info/findanarb.

IMPORTANT - THIS COMMUNICATION AFFECTS YOUR PROPERTY

Reference: 006758

CHORLEY BOROUGH COUNCIL

To: The Owners

Date: 16 June, 2021

Re: Land to the East Side of Preston Road, Clayton-Le-Woods, Chorley registered at the land registry under title number LA964988 as shown edged red on the plan attached.

REQUISITION FOR INFORMATION

TAKE NOTICE that, pursuant to the provisions of Section 330 of the Town and Country Planning Act 1990, the above-named Authority hereby requires you to state in writing, the nature of your interest in the land specified above.

You are also required to state in writing, the name and address of any other person known to you as having an interest in the said land as freeholder, mortgagee or otherwise, or who receives rent for the land.

To provide the information requested, please fill out the form (page 3) attached and then return this to the address below. The form must be returned within 28 days from the date of the service on you of this notice. There is no need to send a covering letter when returning this form. The purpose for which this information is required is set out overleaf on page 2.

.....
Director of Governance

Legal Services
Chorley Borough Council
Town Hall
Market Street
Chorley
Lancashire
PR7 1DP

NOTE

Section 330 of the Town and Country Planning Act 1990 provides as follows:

- (1) For the purpose of enabling the Secretary of State or a local authority to make an Order or issue or serve any notice or other document which, by any of the provisions of this Act, he or they are authorised or required to make, issue or serve, the Secretary of State or the local authority may by notice in writing require the occupier of any premises and any person who, either directly or indirectly, receives rent in respect of any land to give in writing such information as to the matters mentioned in subsection (2) as may be so specified.
- (2) Those matters are:
 - (a) the nature of the interest in the premises of the person on whom the notice is served;
 - (b) the name and postal address of any other person known to him as having an interest in the premises
 - (c) the purpose for which the premises are being used
 - (d) the time when that use began
 - (e) the name and postal address of any person known to the person on whom the notice is served as having used the premises for that purpose
 - (f) the time when any activities being carried out on the premises began
- (3) A notice under subsection (1) may require information to be given within 21 days after the date on which it is served, or such longer time as may be specified in it, or as the Secretary of state or, as the case may be, the local authority may allow.
- (4) Any person who, without reasonable excuse, fails to comply with a notice served on him under subsection (1) shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.
- (5) Any person who, having been required by a notice under subsection (1) to give any information, knowingly makes any mis-statement in respect of it shall be guilty of an offence and liable on summary conviction to a fine not exceeding the statutory maximum or on indictment to imprisonment for a term not exceeding two years or to a fine, or both.
- (6) This section shall have effect as if the references to a local authority included references to a National Park authority

2

Reference: 006758

To the

CHORLEY BOROUGH COUNCIL

Return of information required to be given under section 330 of the Town and Country Planning Act 1990

From: (Signature).....

Re: land at, as shown edged red on the plan attached.

In reply to the notice dated, I hereby declare that the following information is correct to the best of my knowledge.

(a) Name (in full) and address.	
(b) State nature of interest in the land.	
(c) Name (in full) and address of any other person having an interest in the land (including mortgagees)	
(d) State the purpose for which the premises are being used	
(e) State time when use began	
(f) Name (in full) and address of any other person known as having used the premises for that purpose	
(g) State time when any activities being carried out began.	

This form must be returned to Legal Services at the following address: Legal Services, Chorley Borough Council, Town Hall, Market Street, Chorley, Lancashire PR7 1DP



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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Planning and Development	Planning Committee	09 November 2021

ADDENDUM

ITEM 3a- 21/00281/FULHH – 12 Langton Close, Eccleston, Chorley, PR7 5UU

Paragraph 4 of the Update report should read:

The applicants have confirmed that they wish the application to be determined on the basis of the plans that have been previously submitted.

No amendments to the scheme have been made since the application was deferred.

ITEM 3b - 21/01052/FUL – The Post Office, The Straits, Hoghton

The recommendation remains as per the original report

(1)No. further letter of objection has been received setting out the following issues:

The design is not in keeping with the surrounding cottages: The latest application has increased building height considerably and the materials used are not similar to the adjacent cottages.

Safety during construction: the plot is too small to facilitate construction and contractor vehicles during construction and using either Hoghton lane or Quaker Brook lane will create a safety hazard. The junction has seen numerous accidents over the years.

Safety post construction: the design does not allow for adequate parking for visitors and the location of the entrance is on narrow lane incapable of allowing two vehicles to pass. Any parking roadside would severely affect safety of motorists and pedestrians using the road in addition to the accident black spot at the junction. The latest design has also removed a safety feature of a 2m wide footpath along Quaker Brook Lane.

A site visit is requested to understand the context of the proposed development.

The following conditions are recommended:

No.	Condition
1.	The proposed development must be begun not later than three years from the date of this permission. Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

<p>2.</p>	<p>The development shall be carried out in accordance with the following plans:</p> <table border="1" data-bbox="368 253 1353 510"> <thead> <tr> <th data-bbox="368 253 794 315">Title</th> <th data-bbox="794 253 1054 315">Drawing Reference</th> <th data-bbox="1054 253 1353 315">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="368 315 794 349">Location Plan</td> <td data-bbox="794 315 1054 349">20/089/L01</td> <td data-bbox="1054 315 1353 349">31 August 2021</td> </tr> <tr> <td data-bbox="368 349 794 383">Proposed Site Plan</td> <td data-bbox="794 349 1054 383">20/089/P20</td> <td data-bbox="1054 349 1353 383">31 August 2021</td> </tr> <tr> <td data-bbox="368 383 794 416">Proposed plans and elevations</td> <td data-bbox="794 383 1054 416">20/089/P06 Rev.A</td> <td data-bbox="1054 383 1353 416">20 October 2021</td> </tr> <tr> <td data-bbox="368 416 794 450">Proposed Street Scenes</td> <td data-bbox="794 416 1054 450">20/089/P13 Rev.B</td> <td data-bbox="1054 416 1353 450">20 October 2021</td> </tr> <tr> <td data-bbox="368 450 794 483">Landscape Proposals</td> <td data-bbox="794 450 1054 483">6656.06 Rev.A</td> <td data-bbox="1054 450 1353 483">31 August 2021</td> </tr> <tr> <td data-bbox="368 483 794 510">Tree Protection Plan</td> <td data-bbox="794 483 1054 510">6656.07 Rev.A</td> <td data-bbox="1054 483 1353 510">15 October 2021</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Drawing Reference	Received date	Location Plan	20/089/L01	31 August 2021	Proposed Site Plan	20/089/P20	31 August 2021	Proposed plans and elevations	20/089/P06 Rev.A	20 October 2021	Proposed Street Scenes	20/089/P13 Rev.B	20 October 2021	Landscape Proposals	6656.06 Rev.A	31 August 2021	Tree Protection Plan	6656.07 Rev.A	15 October 2021
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<p>3.</p>	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. In the event of surface water draining to the combined public sewer, the pass forward flow rate to the public sewer must be restricted to 5 l/s.</p> <p>The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</p>																					
<p>4.</p>	<p>Prior to the erection of the superstructure of the dwelling hereby approved, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>																					
<p>5.</p>	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species..</p> <p>Reason: In the interest of the appearance of the locality.</p>																					
<p>6.</p>	<p>The development hereby approved shall be carried out in accordance with the details contained in the approved Tree Protection Plan (Ref. 6656.07 Rev.A) and Arboricultural Impact Assessment and Method Statement (ref. MG/6656/AIA&AMS/REVA/OCT21) received 15 October 2021. All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p>																					

	Reason: To safeguard the trees to be retained.
7.	<p>The development hereby permitted shall only be carried out in conformity with the levels demonstrated on drawing ref.20/089/P13 Rev.B received on 20 October 2021, or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
8.	<p>The dwelling hereby approved is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
9.	<p>Prior to the erection of the superstructure of the dwelling hereby approved details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</p>
10.	<p>No tree felling, vegetation clearance works, or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys by a competent ecologist show that nesting birds would not be affected.</p> <p>Reason: Nesting birds are a protected species.</p>
11.	<p>Prior to the commencement of any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Japanese knotweed should be supplied to and agreed in writing by the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure the eradication and control of any invasive species, which are found on the site.</p>
12.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.</p> <p>Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work</p>

	<p>commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</p>
13.	<p>No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.</p> <p>Reasons: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.</p>
14.	<p>Before the access is used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block paviments, or other approved materials.</p> <p>Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.</p>
15.	<p>Prior to the commencement of development a Traffic Management Plan (TMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMA shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> • The parking of vehicles of site operatives and visitors; • Loading and unloading of plant and materials used in the construction of the development; • Storage of such plant and materials; • Wheel washing facilities; • Hours of operation (including deliveries) during construction • Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made) • Routes to be used by vehicles carrying plant and materials to and from the site; • Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties. <p>Reasons: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</p>
16.	<p>No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings.</p>
17.	<p>No development shall take place unless and until samples of the materials to be used on all external elevations, including the roof of the development, have been submitted to and approved in writing by the Local Planning Authority. The external walls of the development shall be erected in natural stone to match that of The Post Office building adjacent to the site, laid in regular courses all of an equal depth. The stonework and roofing material used throughout the development shall</p>

	<p>be consistent in terms of colour, size and texture with the approved samples.</p> <p>Reason: To protect the visual amenity and character of the area within which the site is located.</p>
18.	<p>Prior to their installation a sample and detailed specification for the proposed windows, doors and their frames shall be submitted to and approved in writing by the Local Planning Authority (such scheme to include any subsequent amendments as required by the Authority).</p> <p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>
19.	<p>All new window and doorframes to the building(s) shall be recessed a minimum of 75mm behind the external face of the stonework.</p> <p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>
20.	<p>Notwithstanding the plans hereby approved, and before any development commences on site, a scheme shall be submitted to and approved in writing for the location, design, colour and materials to be used in the treatment of verges and eaves and in the rainwater goods and above ground drainage pipes. The development shall proceed in strict accordance with the approved scheme.</p> <p>Reason: To ensure that the appearance of the development is acceptable to the Local Planning Authority in the interests of protecting the character of the area within which the site is located.</p>

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