

Planning Committee

Tuesday, 1st March 2022, 6.30 pm

Council Chamber, Town Hall, Chorley and YouTube

I am now able to enclose, for consideration at the above meeting of the Planning Committee, the following reports that were unavailable when the agenda was published.

Agenda No	Item	
3	Planning applications to be determined	
	The Director (Planning and Development) has submitted four 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) 21/01104/FUL - Mediterranean At Robin Hood, Blue Stone Lane, Mawdesley	(Pages 3 - 20)
	b) 21/00356/FUL Town Lane Farm, Town Lane, Heskin, Chorley, PR7 5QA	(Pages 21 - 30)
	c) 21/01116/OUT - Hunters Lodge Motel, Preston Road, Charnock Richard, Chorley, PR7 5LH	(Pages 31 - 42)
	d) 21/01465/FUL - Doorway To Value, 50 Preston Road, Whittle-Le-Woods, Chorley	(Pages 43 - 60)
4	Appeals Report	(Pages 61 - 62)

Gary Hall
Chief Executive

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APPLICATION REPORT – 21/01104/FUL

Validation Date: 13 September 2021

Ward: Croston, Mawdesley And Euxton South

Type of Application: Full Planning

Proposal: Conversion of existing building (with partial demolition) to form a single dwellinghouse and erection of 4no. dwellinghouses with associated/ancillary works (Resubmission of 20/00987/FUL)

Location: Mediterranean At Robin Hood Blue Stone Lane Mawdesley Ormskirk L40 2RG

Case Officer: Mr Iain Crossland

Applicant: TRHM Ltd

Agent: Housemartin Design

Consultation expiry: 8 October 2021

Decision due by: 4 March 2022

UPDATE REPORT

1. The recommendation remains planning permission is granted subject to conditions.
2. Members will recall that this application was undetermined at the Planning Committee meeting held on 2 February 2022, following on from motions proposed and seconded to approve and refuse planning permission both of which were lost.
3. The original committee report from 2 February 2022 follows on below, with the comments of Mawdesley Parish Council included.

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt at Mawdesley, approximately 1.8 miles to the north of the settlement of Mawdesley and 1.2miles from Eccleston. It is occupied by the Mediterranean at the Robin Hood restaurant building and associated car parking areas. The site is bound by Blue Stone Lane and Syd Brook Lane to the east with some dwellings beyond. There is open land to the west and a dwelling at Sherwood to the south. The surrounding area is characterised by open agricultural land and clusters of dwellings and sporadic agricultural buildings
3. The application building is of a traditional design style reflective of its age and former use as a public house. The building is faced in painted render and has a roof laid in clay tiles. A number of unsympathetic extensions have been added to the building over time, and following a period of vacancy the building is in a poor and deteriorating state of repair. There is a hard surfaced parking area to the front, which opens out onto the highway and a larger more enclosed parking area to the rear. The rear part of the site is enclosed by trees and

landscaping along the eastern and northern boundaries of the site. The building is not listed nor locally listed, however, it is a local landmark and has been in existence for a significant period of time. The applicant has previously submitted information in support of the application that demonstrates the lawful use of the building to be that of a restaurant.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks planning permission for the conversion of the existing restaurant building, alongside partial demolition of more recent additions, to form a single dwellinghouse and the erection of 4no. dwellinghouses with associated/ancillary works in the area of the rear car park. The new build dwellings would be of a traditional cottage style and would be accessed via the existing car park access.
5. It is noted that the application is the resubmission of a previous application, and has been amended through the omission of garage and car port buildings, a substantial reduction in the scale and mass of the proposed dwellings and amendments to the site access.

REPRESENTATIONS

6. Representations have been received from the occupiers of 2no. addresses citing the following grounds of objection:
 - Adverse impact on the character of the area.
7. One representation in support has been received.

CONSULTATIONS

8. Mawdesley Parish Council: Have requested that their comments and objections that were provided on the previous application (ref. 20/00987/FUL) are considered in relation to this current application. The representation on the previous application is as follows:

Following consultation with Parish Council Meeting 14th October 2020, I been asked to write to you to object to the above planning application. The Robin Hood is an historic and iconic building in an area washed over with Greenbelt and as such certain local planning policies apply which are different to a village central (settlement area) location. These are in place to protect overdevelopment within rural areas. The proposed development harm the open character and appearance of the countryside.

Comments on the Planning application:

The notes that go with the Planning application do not match the plans they suggest the pub will remain a pub and have managers accommodation above.

The additional homes are in the Green Belt. The policy aims to prevent the urban sprawl which is reducing quality of life in rural villages. This unsustainable form of development swallows up farmland and wildlife habitats while increasing air pollution, flood risk and car dependency

The size and physical scale of the buildings means they will have a visual impact on the local environment. They are so large they will be out of keeping and change the character of the village.

The sewerage and drainage systems in the village there is no capacity for further development. There has been recent evidence of severe flooding on the 3rd October 2020.

Five additional houses will create a minimum of ten additional cars adding to the already over busy country roads. The Parish Council request a Highways survey to be sure the current infrastructure has the capacity to take further development. The junction where these cars would be coming out is very dangerous.

The Parish Council would ask Planning to carefully review allowing people to build new houses in the Green Belt

9. Greater Manchester Ecology Unit: Have no objection.
10. Waste & Contaminated Land: Have confirmed that they have no comments to make.
11. Lancashire County Council Highway Services (LCC Highway Services): Have confirmed that they considered the development proposal is acceptable on the basis of amendments to the site access, and no objections are raised subject to a number of highway related planning conditions being imposed.
12. United Utilities: Have no objections subject to conditions.

PLANNING CONSIDERATIONS

Principle of the development in the Green Belt

13. The application site is located wholly within the Green Belt, and consists of a building comprising a restaurant with extensive hardstanding to the front and rear providing a large area of car parking. It is clear that the building has not been in use for some time and was previously run as a Mediterranean restaurant, but has since been mothballed. Information provided in support of a previous proposal demonstrates that the lawful use of the building is that of a restaurant.
14. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework (The Framework) and states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances. The relevant sections are set out below:

137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

138. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;*
- b) to prevent neighbouring towns merging into one another;*
- c) to assist in safeguarding the countryside from encroachment;*
- d) to preserve the setting and special character of historic towns; and*
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

149. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are:

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;

e) limited infilling in villages;

f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

- not have a greater impact on the openness of the Green Belt than the existing development; or
- not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

a) mineral extraction;

b) engineering operations;

c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;

d) the re-use of buildings provided that the buildings are of permanent and substantial construction;

e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and

f) development brought forward under a Community Right to Build Order or Neighbourhood Development Order.

15. The Central Lancashire Core Strategy Policy 1: Locating Growth, criteria f) states that development 'in other places' – will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need. Mawdesley is considered to be an 'other place'. As the proposal involves a small scale development and the conversion of a building it is considered to be in line with this policy.
16. The proposal comprises two distinct elements that would result in the formation of a residential development scheme. The conversion of the public house to a dwelling and the erection of 4no. new build dwellings following the partial demolition of the existing building.
17. Dealing first with the conversion it is noted that paragraph 150.d) allows for the re-use of buildings provided that they are of permanent and substantial construction and provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.
18. The proposed development involves the conversion of a building of permanent and substantial construction, which engages with paragraph 150.d) above. Some alterations and additions are proposed in addition to the removal of previously extended parts of the building, which are located predominantly to the rear.
19. Policy HS9 of the Chorley Local Plan 2012 – 2026 covers the Conversion of Rural Buildings in the Green Belt. This provides more detailed guidance as to the way in which buildings can be converted and states that proposals for the re-use of buildings in the Green Belt will be allowed provided that all of the following criteria are met:
 - a) *The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;*
 - b) *The proposal would not harm the character or quality of the countryside or landscape;*
 - c) *The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;*
 - d) *If an agricultural building, it is not one substantially completed within ten years of the date of the application;*
 - e) *The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;*

- f) *The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;*
 - g) *The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;*
 - h) *The development would not result in the loss of or damage to any important wildlife habitat or protected species.*
20. The proposal to convert the existing building, involves removing a large extension to the rear, adding a new chimney stack and porch, whilst carrying out the necessary remedial works and internal alterations. As such there would be a reduction in the impact on openness of the Green Belt over and above the existing building. The building itself is of permanent and substantial construction and of sound structural integrity. The scheme would sympathetically convert the building, improving its appearance and form in a way that is more in keeping with its original character through the removal of poor quality extensions and additions. As such the character of the existing building would be retained and revived with no impact on the openness of the Green Belt.
21. The curtilage boundary would be drawn in a logical fashion around the southern part of the site allowing for a reasonable degree of amenity space without resulting in any encroachment into the Green Belt, and reflects the extent and form of boundaries at nearby and neighbouring dwellings and property.
22. An ecological survey has been submitted in support of the application. The surveys do not identify the presence of any protected species. The Greater Manchester Ecology Unit have assessed the survey and agree with the findings and have confirmed that the building has negligible bat roosting potential, whilst the roof has been repaired since the original assessment. It is, therefore, considered that the overall risk to bats is very low.
23. On the basis of the above, it is considered that overall this element of the proposal would not result in any inappropriate development, or other harm to the Green Belt.
24. In considering the erection of four new dwellings, it is noted that this part of the site forms the rear car park area and falls within the established curtilage of the restaurant. As such the site is considered to fall within the definition of previously developed land and, therefore, has the potential to engage with paragraph 149.g) of the Framework and policy BNE5 of Chorley Local Plan 2012 – 2026.
25. Policy BNE5 of Chorley Local Plan 2012 – 2026 relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:

The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:

In the case of re-use

- a) *The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
- b) *The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*

In the case of infill:

- c) *The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

In the case of redevelopment:

d) The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.

26. Whilst the test for the development of sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of 'openness'. It is acknowledged that the site is a previously developed site, the majority of which is covered by hardsurfacing, however, other than the restaurant building there are no other buildings or structures. The restaurant building would be partially demolished as part of the proposal, which must be considered in the assessment of the development and its resultant impact on openness. It is also acknowledged that there are some temporary impacts from the periodic parking of cars associated with a restaurant use.
27. When considering the impact of a proposed development on a previously developed site it is important to note that any new buildings must not "have a greater impact on the openness of the Green Belt" than the existing development.
28. Whether the proposed development would have a greater impact on openness is a subjective judgment, which is considered further below. Objective criteria could include the volume of any existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exceptions of paragraph 149.g) of the Framework, which is reflected in Policy BNE5 of the Chorley Local Plan, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the application site, and in this respect it is noted that the conversion of the public house would involve the removal of existing built form.
29. Other than the public house, the application site does not comprise any other buildings. The proposal seeks to partially demolish the existing restaurant building retaining the older original part for conversion. The proposed dwellings would be of a traditional cottage style and of modest scale. These would have a greater cumulative volume than the volume of extensions and additions to be removed through the conversion of the existing building. They would also extend into an area of the site in which there is currently no built form. This would result in a greater spatial impact on openness than the existing development. The visual impact would be limited to some extent due to the screening provided by the retained building to the south of the site obstructing views from the south along Blue Stone Lane and by the presence of mature landscaping to the boundaries providing some filtering of views from the east along Syd Brook Lane. Overall, however, there would be an impact on the openness of the Green Belt that is greater than the existing development proposed to be removed.
30. Given that it has been established, that there is harm to the openness of the Green Belt and, therefore, harm to the Green Belt by definition, any other harm caused by the development must also be considered and added to the definitional harm.
31. There are five purposes of the Green Belt as set out in the Framework and detailed above:
32. Considering each in turn:
 - Purpose 1 (to check the unrestricted sprawl of large built-up areas)
The application site is located in a rural area which is a separated from any large built up areas. It is not considered the application proposal represents unrestricted urban sprawl of a large built-up area.
 - Purpose 2 (to prevent neighbouring towns merging into one another)
The development of the site would not result in neighbouring towns merging into one another.
 - Purpose 3 (to assist in safeguarding the countryside from encroachment)

The proposed development would be contained within the previously developed area of the site and would not encroach into other open land.

- Purpose 4 (preserve the setting and special character of historic towns)
The site is not located within or near to a historic town, and the proposed building would not be located within the setting of any listed buildings.
- Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)
There would be no material impact on this purpose given that the proposed development is small scale development.

33. On the basis of the above, it is considered that there would be no other harm to the purposes of including land within the Green Belt.
34. As the proposed development would result in definitional harm and harm to the openness of the Green Belt there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Impact on character and appearance of the locality

35. The application site is located in a prominent location at the junction of Blue Stone Lane and Syd Brook Lane in a rural part of the Borough at Mawdesley. Development is sparse in this area, but that which does exist is varied in appearance and largely of a traditional rural design style.
36. The proposed development involves conversion of the public house building into a dwelling, and in doing so removal of the previous extensions of poor quality and incongruous appearance, with the addition of some domestic features such as a porch and chimney, alongside necessary remedial works and minor alterations. The overall impact would be to improve the appearance of the building in comparison to its present appearance and to return it to a closer resemblance of its original character. A dry stone wall and landscaped frontage would be provided to the front of the building facing Blue Stone Lane, which would add to the quality of the scheme and provide a suitably domestic appearance with an appropriate level of enclosure. This conversion element of the proposal would be the most visually prominent and overall would result in a positive impact on the appearance of the site and character of the area.
37. The new build element proposed to the northern part of the site, currently occupied by the car park, would continue the rustic agrarian style of design carrying through a distinctive character in a mixture of house types. The dwellings would display many features of interest and would differ from one another creating a high degree of distinctiveness and character. Car parking would be set out in a linear form adjacent to Syd Brook Lane, and screened from it by retained landscaping. The proposed development would be commensurate with the size of the site providing an appropriate level of amenity space for residents, whilst making good use of the available space. The existing landscaped buffer to the east of the site would be maintained and reinforced, which would soften the appearance and filter views from the lane.
38. The new build dwellings themselves would be laid out in a linear pattern to the rear of the building to be converted, which would reflect patterns of development in the locality, and would also ensure that the setting of the original building is not competed with or compromised on approach from the south. The development would be of high quality and would contribute positively to the character of the area.
39. Overall, the development would enhance the existing qualities of the site and would reflect the rural character of the locality. As such the proposal would be an appropriate design response in the context of the site and locality. The development is, therefore, considered to

be in accordance with Policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of design considerations.

Impact on neighbour amenity

40. The conversion element of the proposed development would be located over 30m from the nearest property to the south at Sherwood and would have no impact over and above that which currently exists. The nearest property to the new build elements are at Syd Brook Cottage to the north east. This property would be located over 20m from the nearest proposed dwelling at unit 5, which would be positioned at an angle relative to Syd Brook Cottage. Given the degree of separation and positioning there would be no adverse impact on the amenity of the occupiers as a result of the proposed development.
41. Other properties are further away from the site and the degree of separation is such that there would be no impact on the amenity of the occupiers of any other property.
42. The relationship between the proposed dwellings would be such that future occupants would enjoy an appropriate degree of amenity with space between dwellings and extensive floorspace and outdoor amenity areas.

Highway safety

43. There is an existing vehicular access to the site from Blue Stone Lane, which runs across the site frontage. This would be used to provide direct access to the site. It is considered that the creation of five dwellings would have a limited impact on the highway network in this location, which would not result in a severe cumulative impact, particularly when considered in relation to the current lawful use of the site as a restaurant.
44. Although the development was considered to be acceptable in principle by LCC Highway Services, there were a number of issues regarding the site layout and access that resulted in highway safety concerns originating from the existing poor access arrangements that needed to be addressed in light of a change in the way that it would be used. A revised layout plan was subsequently submitted in response to the concerns raised by LCC Highway Services.
45. LCC Highway Services have noted that the developer is proposing two points of access to the development. The access to the single dwelling resulting from the conversion of the restaurant would be direct from Blue Stone Lane. This access would be narrowed to an appropriate width by a boundary wall as opposed to the open frontage that exists at present, whilst a pedestrian footway would be extended across the frontage.
46. The access to the remainder of the development would consist of a shared driveway connecting with Blue Stone Lane close to the junction with Syd Brook Lane. This would involve constructing a highway build out to deflect traffic travelling into Syd Brook Lane from the south and would provide a footway into the development on one side of the access driveway. The existing access arrangement that it was originally intended to be retained resulted in vehicles entering and exiting the development in a manner that was considered to be unsafe. LCC Highway Services consider that providing a small degree of separation at the junction between Blue Stone Lane and Syd Brook Lane has significant road safety benefits in that the manoeuvring of vehicles would become more conventional.
47. The proposed highway works would also result in a narrowing of Syd Brook Lane at its junction with Blue Stone Lane, which would lead to lower entry speeds, and a safer highway environment at the junction.
48. The proposed layout would need to undergo a Road Safety Audit to acquire technical approval, however, the layout plan proposed now illustrates the scope of the amended highway arrangements that are necessary to satisfy LCC Highway Services.
49. The development proposal would also incorporate a footway for the full frontage of the site along Blue Stone Lane. This footway at 2m wide would ensure that the appropriate sightlines for the access are provided, and would be an important refuge for pedestrians.

50. The applicant has demonstrated that a refuse vehicle can enter the site and that adequate manoeuvring space within the site is available. The internal layout is not suitable for it to be offered to LCC for adoption and as such would remain private.
51. On the basis of the above, the developer would be required to enter into a s278 agreement with LCC to provide the following:
- Amendment to the junction of Blue Stone Lane and Syd Brook Lane
 - Creation of 2 access points to Blue Stone Lane
 - Provision of 2m wide footway along the frontage to Blue Stone Lane
52. The development proposal is now considered to be acceptable in highway safety terms, subject to conditions requiring a scheme for the construction of the site access and off-site improvements and a Construction Management Plan (CMP).
53. The site plan demonstrates that off street parking of sufficient size to accommodate at least three cars per dwelling would be provided. On this basis, the scheme complies with the parking standards specified in policy ST4 of the Adopted Chorley Local Plan 2012 – 2026.

Ecology

54. The application is supported by an ecology report that has been reviewed by the Council's ecological advisor at Greater Manchester Ecology Unit (GMEU). The public house building was assessed for bats. No evidence of bats was found and no further surveys carried out. It is noted that the building has negligible bat roosting potential, whilst the roof has been repaired since the original assessment. Given that the development is for conversion, GMEU accept that the overall risk to bats is very low in this instance.
55. There is a pond around 100m to the south west of the site. This was assessed as having limited potential to support great crested newts owing to recreational use, which is assumed to be angling. GMEU are also aware that this pond was surveyed in 2020 as part of another application and that the results were negative. There are additional ponds to the north east in excess of 100m from the site, with the road forming a partial barrier. Given the nature of the site and the distance from these ponds, GMEU are satisfied that even if great crested newts were present in the ponds the risk of an offence would be very low.
56. No bird nests were located in the building to be converted or noted in the wider site, though as the survey occurred in March, it would have been early in the season for obvious signs of bird activity. Bird nesting habitat is, however, present around the boundary of the site, which is identified for retention.
57. Section 174 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment. The development is primarily restricted to hard standing with the higher value habitats on site retained. It is, therefore, considered that the development could comply with section 174. The applicant's ecological consultant recommends enhancement through provision of bat boxes and bird boxes as well as native planting, which is an appropriate approach.

Flood risk and drainage

58. The application site is not identified as being at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
59. 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.

60. It is recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme for the site that has been designed in consideration and in accordance with the surface water drainage hierarchy outlined above.

Public open space

61. 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.
62. 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.
63. Specifically the guidance as of last year 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
64. 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.
65. Consequently, 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 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
66. There is currently a surplus of provision in Eccleston and Mawdesley in relation to this standard, whilst the site is not within the accessibility catchment of an area of provision for children/young people. A contribution towards new provision in the accessibility catchment would normally be required from this development. However, there are no identified schemes for new provision in the accessibility catchment therefore a contribution towards new provision is not required.

Sustainability

67. 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.”

68. Given this change, instead of meeting the code level, the new build 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.

Green Belt balancing exercise

69. It has been established that there is definitional harm to the Green Belt as the proposal is inappropriate development in the Green Belt. It is considered that there would not be any further harm. Development of this type should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
70. With a view to demonstrating very special circumstances the applicant has set out a number of factors in support of their proposal.
71. The applicant has set out a case whereby an alternative scenario would be to redevelop the whole of the site, including the demolition of the existing building rather than its retention. In the case of such a scenario an assessment would be carried out as the impact on openness in relation to the existing development to be replaced. This is typically considered on the basis of an assessment of volume, although there is no such allowance or capacity test in the Framework. When considering a volume of development that is not materially larger than an existing development the Council has no specific guideline in relation to previously developed sites. It does however, set out a more specific policy in relation to replacement dwellings at policy HW6, which states that increases of up to 30% (volume) are not considered to be materially larger. It is, therefore, logical to apply the same guideline to the redevelopment of a previously developed site in the absence of any specific figure, and such an approach has become custom and practice in Chorley.
72. In the instance of a redevelopment of this site the applicant has calculated that the volume of the existing buildings is 1399 cubic metres, and that this could provide a development volume of 1819 cubic metres, on the basis of the 30% uplift. This amounts to the same volume of development to that which is proposed as part of this current application. Therefore, if the proposed development were to be an entirely new build redevelopment scheme, rather than involving the retention of the original part of the existing building, then it is likely that it would be supported in policy terms and not considered inappropriate.
73. The building was previously the Robin Hood public house and is not listed, nor is it locally listed. It is, however, an historic building that has been in situ as a boarding house since the 1800s and is a local landmark and focal point. As such the retention and restoration of the original part of the building, alongside the removal of incongruous later additions, would be of benefit in relation to the character of the area and would be a positive outcome as part of any development scheme.
74. The scenario set out by the applicant is a realistic proposition that would be an acceptable approach in planning policy terms, and would result in the loss of the original public house building, which is of some value as a local landmark and in relation to the character of the locality. Therefore, the retention of the original part of the existing building is a positive benefit and would result in no greater eventual volume of development than if the site were redeveloped in its entirety. These factors are considered to carry significant weight in the planning balance.

75. The proposed development would also result in improvements to the site access and highway layout at the junction of Blue Stone Lane and Syd Brook Lane. LCC Highway Services have confirmed that the existing access arrangement is not to current standards and is considered to be unsafe. Vehicles also travel at speed directly from Blue Stone Lane into Syd Brook Lane when travelling from the south due to the highway arrangement. LCC Highway Services consider that by providing a small degree of separation at the junction between Blue Stone Lane and Syd Brook Lane this has significant road safety benefits in that the manoeuvring of vehicles would become more conventional. The proposed highway works would also result in a narrowing of Syd Brook Lane at its junction with Blue Stone Lane, which would lead to lower entry speeds, and a safer highway environment at the junction.
76. The highway improvement works would not be initiated or funded without the scale of the proposed development, or if the site were to remain as a restaurant. As the development would result in a safer highway arrangement and is considered to carry significant weight in the planning balance.
77. There is significant case law that supports the conclusion that a number of factors, none of them “very special” when considered in isolation, may when combined together amount to very special circumstances.
78. The factors set out above when considered cumulatively clearly amount to very special circumstances that carry significant weight and amount to the very special circumstances required to overcome the definitional harm to the Green Belt, which must be accorded substantial weight in line with the Framework.

Community Infrastructure Levy (CIL)

79. 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

80. It is considered that the proposed conversion and alteration of the public house would not have a greater impact on the openness of the Green Belt or conflict with the Green Belt purposes. The proposed erection of the new build dwellings would have a greater impact on openness than the existing development to be replaced and would result in inappropriate development in the Green Belt. It is, however, considered that in this instance there are very special circumstances to overcome the definitional harm to the Green Belt, in consideration of a possible alternative redevelopment scheme for the site and the retention of the original public house building in addition to the highway safety improvements that would be implemented as a result of the scheme.
81. The impact on the character and appearance of the area is considered to be acceptable and there would be no adverse impact on neighbour amenity, highway safety or ecology. It is, therefore, recommended that the application be approved subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 74/00854/ADV **Decision:** PERADV **Decision Date:** 18 December 1974
Description: Illuminated sign

Ref: 84/00575/FUL **Decision:** PERFPP **Decision Date:** 13 November 1984
Description: Front entrance porch and side extension to form bottle store

Ref: 87/00839/FUL **Decision:** PERFPP **Decision Date:** 2 February 1988
Description: Extensions and alterations to public house

Ref: 89/00728/FUL **Decision:** PERFPP **Decision Date:** 31 August 1989
Description: Construction of a freezer store to rear

Ref: 90/00636/FUL **Decision:** PERFPP **Decision Date:** 18 December 1990
Description: Construction of overflow car park

Ref: 94/00211/ADV **Decision:** PERFPP **Decision Date:** 28 April 1994
Description: Display of various externally illuminated advertisement signs

Ref: 96/00646/FUL **Decision:** PERFPP **Decision Date:** 22 January 1997
Description: Extension of existing car park to provide 15 additional spaces

Ref: 00/00170/ADV **Decision:** PERADV **Decision Date:** 28 April 2000
Description: Display of illuminated post, projecting and fascia signs

Ref: 20/00987/FUL **Decision:** WDN **Decision Date:** 9 July 2021
Description: Conversion of existing building (with partial demolition) to form a single dwellinghouse and erection of 4no. dwellinghouses with associated/ancillary works

Ref: 21/00880/FUL **Decision:** PERFPP **Decision Date:** 10 September 2021
Description: Erection of single storey rear extension (retrospective)

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.

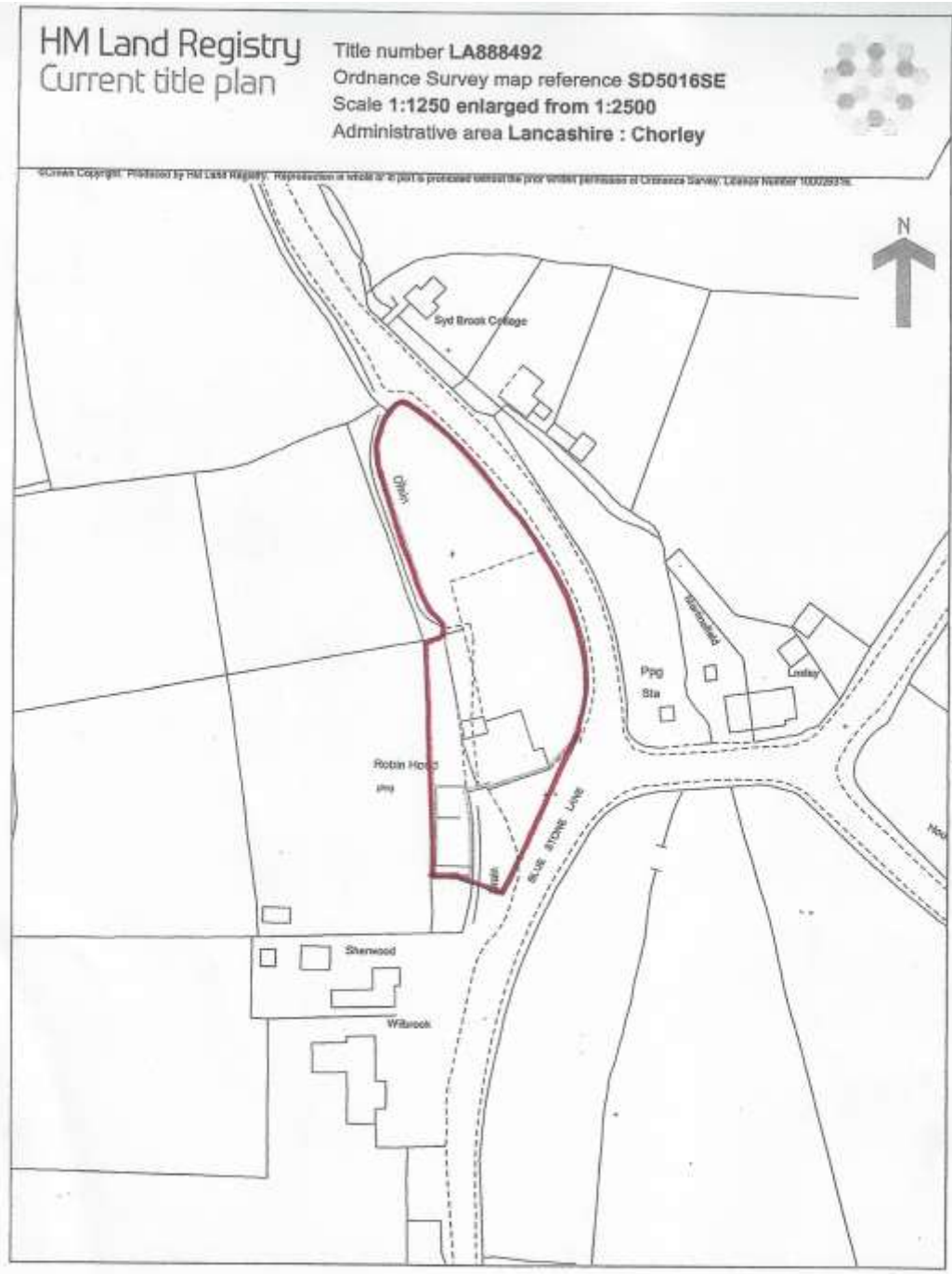
Suggested conditions

No.	Condition																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																								
2.	<p>The development shall be carried out in accordance with the following plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>N/A</td> <td>11 January 2022</td> </tr> <tr> <td>Site Layout Plan</td> <td>HMD/PD/0438/01 Rev. G</td> <td>10 January 2022</td> </tr> <tr> <td>Proposed Floor Plans and Elevations (Unit No.3a)</td> <td>HMD/PD/0438/04 Rev. A</td> <td>13 September 2021</td> </tr> <tr> <td>Proposed Floor Plans and Elevations (Unit No.4a)</td> <td>HMD/PD/0438/05 Rev. A</td> <td>13 September 2021</td> </tr> <tr> <td>Proposed Floor Plans and Elevations (Unit No.5a)</td> <td>HMD/PD/0438/06 Rev. A</td> <td>13 September 2021</td> </tr> <tr> <td>Proposed Floor Plans and Elevations (Unit No.2a)</td> <td>HMD/PD/0438/03 Rev. A</td> <td>13 September 2021</td> </tr> <tr> <td>Robin Hood PH Conversion Scheme. Proposed Floor Plans and Elevations (Unit No.1)</td> <td>HMD/PD/0438/02</td> <td>13 September 2021</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Title	Drawing Reference	Received date	Location Plan	N/A	11 January 2022	Site Layout Plan	HMD/PD/0438/01 Rev. G	10 January 2022	Proposed Floor Plans and Elevations (Unit No.3a)	HMD/PD/0438/04 Rev. A	13 September 2021	Proposed Floor Plans and Elevations (Unit No.4a)	HMD/PD/0438/05 Rev. A	13 September 2021	Proposed Floor Plans and Elevations (Unit No.5a)	HMD/PD/0438/06 Rev. A	13 September 2021	Proposed Floor Plans and Elevations (Unit No.2a)	HMD/PD/0438/03 Rev. A	13 September 2021	Robin Hood PH Conversion Scheme. Proposed Floor Plans and Elevations (Unit No.1)	HMD/PD/0438/02	13 September 2021
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Robin Hood PH Conversion Scheme. Proposed Floor Plans and Elevations (Unit No.1)	HMD/PD/0438/02	13 September 2021																							

<p>3.</p>	<p>Prior to the commencement of development (excluding demolition and conversion works) details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:</p> <p>(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions, the potential for infiltration of surface water in accordance with BRE365;</p> <p>(ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations). In the event of surface water discharging to the public surface water sewer, the rate of discharge shall be restricted to 5 l/s;</p> <p>(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;</p> <p>(iv) Incorporate mitigation measures to manage the risk of sewer surcharge; and</p> <p>(v) Foul and surface water shall drain on separate systems within the site.</p> <p>The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.</p> <p>Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.</p> <p><i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</i></p>
<p>4.</p>	<p>Prior to the erection of the superstructure of the new build dwellings hereby approved samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
<p>5.</p>	<p>Prior to the erection of the superstructure of the new build dwellings 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. The dwellings shall not 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><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
<p>6.</p>	<p>Prior to the erection of the superstructure of the new build dwellings hereby approved full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>

7.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the erection of the superstructure of the new build dwellings hereby approved. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, 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><i>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</i></p>
8.	<p>No works to trees or hedgerows shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>
9.	<p>The dwellings hereby approved are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>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.</i></p>
10.	<p>Prior to the erection of the superstructures of the dwellings 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><i>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.</i></p>
11.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and off-site improvements 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. The</p>

	<p>scope of the scheme shall be as set out on Site Layout Plan HMD/PD/0438/01 Rev G submitted 10 January 2022.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</i></p>
<p>12.</p>	<p>No part of the development hereby approved shall be occupied until the approved scheme for the associated site access, sight lines and off-site highway works has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.</p> <p><i>Reason: To enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users. To allow for the effective use of desirable sustainable transport and aid social inclusion.</i></p>
<p>13.</p>	<p>Prior to the commencement of the development a Construction Management Plan (CMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CMP shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> a) The parking of vehicles of site operatives and visitors; b) Loading and unloading of plant and materials used in the construction of the development; c) Storage of such plant and materials; d) Wheel washing and/or power wash and hardstanding area with road sweeping facilities, including details of how, when and where the facilities are to be used; e) Periods when plant and materials trips should not be made to and from the site (mainly school peak hours but the developer to identify times when trips of this nature should not be made); f) Routes to be used by vehicles carrying plant and materials to and from the site; g) Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties. <p><i>Reason: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</i></p>
<p>14.</p>	<p>Prior to the erection of the superstructure of the new build dwellings hereby approved all demolition works as identified on the Demolition of Existing Building Floor Plans (Ref. HMD/PD/0438/10) and Demolition of Existing Building Elevations (Ref. HMD/PD/0438/11) submitted on 13 September 2021 shall have been carried out and all resultant materials removed from the site.</p> <p><i>Reason: To protect the openness of the Green Belt.</i></p>



This is a print of the view of the title plan obtained from HM Land Registry showing the state of the title plan on 09 May 2019 at 13:38:39. This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.

This title is dealt with by HM Land Registry, Fylde Office.

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APPLICATION REPORT – 21/00356/FUL

Validation Date: 24 March 2021

Ward: Ecclestone, Heskin And Charnock Richard

Type of Application: Full Planning

Proposal: Section 73 application to vary condition no.3 (approved plans) attached to planning permission 16/00737/FUL (Re-positioning of dwelling and 3 bay stable block approved under application 14/00982/FUL, and Lawful Barn under application 15/00340/CLEUD) to change the position of the approved dwelling and to create a new access onto Town Lane

Location: Town Lane Farm Town Lane Heskin Chorley PR7 5QA

Case Officer: Mike Halsall

Applicant: Mr Ben Rose

Agent: Mr Howard Rose

Consultation expiry: 7 May 2021

Decision due by: 4 March 2022 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application relates to a large site which currently consists of a yard that is occupied by two storage containers, a mobile home/caravan, a mobile stable block and a large area of hardstanding. There is currently an access track that provides vehicular access to Town Lane which runs across land not owned by the applicant. The site has a complex planning history, but in summary, planning permission exists for the erection of two dwellings and a barn. The northernmost dwelling, closest to Town Lane and the subject of this application is labelled as 'Silver Lea' on the submitted site plan and 'The Cottage' on previously approved plans. The southernmost dwelling, approved under planning permission ref. 17/00599/FUL, is labelled as 'Orchard Cottage' on the submitted site plan or 'dormer bungalow' on previously approved plans. The location of the approved barn was moved further south as part of planning permission ref. 17/00599/FUL, located in the south western corner of the site boundary. The amended barn location is the same as that approved for the stables as part of permission ref. 16/00737/FUL and so this variation application seeks to regularise the approved site plan to show the barn in the correct location. This is purely an administrative change and so requires no further assessment in this report.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission to vary condition no.3 attached to planning permission ref. 16/00737/FUL to substitute the approved drawings to enable a change in the position of the northernmost approved dwelling and to create a new access to Town Lane to serve the dwelling.

4. It is considered that planning permission ref. 16/00737/FUL has been lawfully implemented as the septic tank shown within the approved Drainage Strategy Report ref. C-0715 (condition discharge ref. 16/00935/DIS) was installed in 2018, within the three year period during which the development must be commenced. This has been evidenced in application ref. 20/00869/CLPUD which established the lawfulness of the second dwelling at the site under planning permission ref. 17/00599/FUL. Both planning permissions include a connection to the approved septic tank and so its installation has implemented both planning permissions.
5. The proposed minor material change involves rotating the orientation of the dwelling by approximately 45 degrees in an anti-clockwise direction to make its frontage parallel with Town Lane. The new site access to Town Lane would be positioned to the west of the approved access point, giving the dwelling its own dedicated access, rather than sharing with the other approved dwelling and the barn.

REPRESENTATIONS

6. One representation has been received citing the following grounds of objection:
 - Questions whether the further change to the site is to make the proposal confusing and whether before and after drawings can be provided
 - The Orchard Cottage appears very small on the site plan
 - The proposed access encroaches onto someone else's property
 - Already have an access approved – it is a very narrow lane
 - The barn is too tall – blot on the landscape

CONSULTATIONS

7. Lancashire County Council Highway Services (LCC Highway Services): Initially responded to request additional hardstanding within the site for vehicles to manoeuvre. The site layout plan was subsequently amended by the applicant to the satisfaction of LCC Highway Services who have responded with no objection to the proposal.
8. Heskin Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

The principle of development

9. Section 73 (S73) of the Town and Country Planning Act (1990) allows minor material amendments to planning permissions, where there is a relevant condition that can be varied.
10. The effect of approval of an application under S73 is the issue of a new planning permission, sitting alongside the original permission, which remains intact and unamended. It also repeats the relevant conditions from the original planning permission, unless they have already been discharged.
11. S73 is clear that the Local Planning Authority shall consider only the question of the conditions subject to which planning permission should be granted.
12. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the National Planning Policy Framework (the Framework). Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
13. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special

circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

14. The proposed rotation of the approved dwelling would have no impact upon the openness of the Green Belt.
15. The proposed new access is an engineering operation. Paragraph 50 of the Framework lists exceptions to what may be considered inappropriate development and one such exception is engineering operations, providing that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within Green Belt.
16. As such there are two considerations in respect of the proposal and the appropriateness of the access in the Green Belt as follows:
 - 1) Will the development preserve the openness of the Green Belt? Whilst the test for sites such as this relates to preserving openness it is important to note that the Framework contains no specific definition of 'openness'. It is noted that the access track itself would be a low-lying surface structure, and in this respect would not have a physical impact on openness due to its two dimensional nature. There would be a gate to the entrance, however, this would be of a low height and would have a high degree of inter-visibility and would not impact on openness.
 - 2) Will the development conflict with the purposes of including land in the Green Belt? Paragraph 138 of the Framework sets out the five Green Belt purposes, which the scheme is assessed against as below:
17. Purpose 1 (to check the unrestricted sprawl of large built-up areas).
The proposal does not relate to a large built up area.
18. Purpose 2 (to prevent neighbouring towns merging into one another)
Development of the site would not lead to the coalescence of neighbouring towns. In respect of the neighbouring villages, the development would not lead to a coalescence of neighbouring villages.
19. Purpose 3 (to assist in safeguarding the countryside from encroachment;).
The proposal includes the change in orientation of the approved dwelling and the installation of a new access from Town Lane which would include a short section of gravel driveway, fencing and a gate. This would all be constructed within the curtilage of the approved dwelling. In consideration of the simple changes proposed, it would not result in any harmful encroachment into the Green Belt.
20. Purpose 4 (to preserve the setting and special character of historic towns;).
This does not apply as the site is not located near a historical town.
21. Purpose 5 (to assist in urban regeneration, by encouraging the recycling of derelict and other urban land).
It is not considered that the proposal conflicts with this purpose.
22. The proposed change to the orientation of the dwelling and the new access track would effectively preserve the openness of the Green Belt, given the simple low level surfacing and minimal other structures being restricted to a short section of fence and a gate. The proposal would be located entirely within the existing approved residential curtilage. There would be no conflict with any of the purposes of including land within the Green Belt.
23. Further to the above, the construction of the proposed access would fall within the applicant's Permitted Development rights once the dwelling is constructed.

Impact the character and appearance of the locality and on residential amenity

24. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that new development should not have a detrimental impact on the surrounding area by virtue of its density, siting, building to plot ratio, height, scale and massing, design, orientation and use of materials. .

The policy also states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.

25. The proposed change would not result in the dwelling being physically closer to Town Lane or neighbouring dwellings to cause any unacceptable impacts in terms of the character of the area, or residential amenity although it may appear slightly more prominent due to the change in its orientation. The proposal complies with policy BNE1 of the Local Plan.

Other issues

26. Accuracy of drawings of the bungalow and requesting before and after drawings – the submitted drawings are considered to be accurate with regards to the size of the bungalow and before and after drawings are not considered to be necessary to assess the acceptability of the proposal.
27. The site includes land owned by someone else - The applicant's agent has completed Certificate A on the planning application form which identifies that the applicant owns the entire application site.
28. The barn is too tall - No changes to the height of the approved barn are proposed as part of this application.
29. Details of the proposed dwelling emission rate, site drainage, externally facing materials, site levels and landscaping were approved as part of discharge of condition application ref. 16/00935/DIS. Where required, these details have been updated by the applicant and submitted in support of this planning application. The changes are minor and do not result in any significantly different impacts than those previously agreed as acceptable.
30. Any conditions and approved plans relating to the stables and barn have been omitted from the proposed conditions as these have been superseded by subsequent planning permissions.
31. There were S106 agreements attached to previous planning permissions at this site to ensure that the applicant does not build-out different elements from different planning approvals / lawful developments that would result in an unacceptable level of development in the Green Belt. It is not however considered that a S106 is required in this instance as the applicant would only be able to build-out either this development or 16/00737/FUL and not elements of both. Further, the legal agreement attached to planning permission ref. 17/00599/FUL remains in force and provides assurances against an inappropriate level of development at the site.

CONCLUSION

32. It is considered that the proposed amendments would preserve the openness of the Green Belt and would not conflict with the purposes of including land within the Green Belt. The proposed changes are minor in nature and would not result in any additional harm to residential amenity, the character of the area or any other issue assessed and considered acceptable by virtue of the approval of the original application. As such, the proposal is considered to be acceptable and the application is recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 08/00824/AGR **Decision:** WDLPA **Decision Date:** 31 July 2008
Description: Erection of agricultural building for storage of hay and machinery

Ref: 08/01208/FUL **Decision:** WDN **Decision Date:** 26 January 2009
Description: Erection of a 3 bay agricultural building

- Ref:** 09/00065/FUL **Decision:** PERFPP **Decision Date:** 30 March 2009
Description: Erection of an agricultural storage building (amended re-submission of application no. 08/01208/FUL)
- Ref:** 11/00069/FUL **Decision:** WDN **Decision Date:** 1 April 2011
Description: Proposed demolition of existing stables to be replaced by new stables
- Ref:** 11/00713/FUL **Decision:** PERFPP **Decision Date:** 5 October 2011
Description: Erection of replacement stable building following demolition of existing stable building (Re-submission of application no. 11/00069/FUL)
- Ref:** 11/01101/CLEUD **Decision:** PEREUD **Decision Date:** 29 May 2012
Description: Application for a Certificate of Lawfulness for use of existing building as livery stables
- Ref:** 12/00274/DIS **Decision:** PEDISZ **Decision Date:** 3 April 2012
Description: Discharge of condition no. 2 (colour, form, texture of external materials including painting) of planning permission no.09/00065/FUL
- Ref:** 12/01105/FUL **Decision:** PERFPP **Decision Date:** 16 January 2013
Description: Application to remove condition no. 6 (which prohibited the business,trade and livery use of the building) of planning permission no. 11/00713/FUL (which permitted the erection of a replacement stable building following demolition of existing stable building) to enable the building to be used as a livery stables
- Ref:** 14/00982/FUL **Decision:** PERFPP **Decision Date:** 8 September 2015
Description: Demolition of existing stables and erection of detached dwelling, formation of new access and erection of stable block
- Ref:** 15/00340/CLEUD **Decision:** PEREUD **Decision Date:** 11 June 2015
Description: That a meaningful start has been made to planning permission reference number 09/00065/FUL for the erection of an agricultural storage building (amended re-submission of application number 08/01208/FUL) by the setting out and excavation of foundations and the laying of steel stanchion bases
- Ref:** 15/01133/FUL **Decision:** REFFPP **Decision Date:** 20 January 2016
Description: Demolition of existing stables and storage buildings and erection of two dwellings (resubmission of application 14/00982/FUL)
- Ref:** 16/00084/DIS **Decision:** PEDISZ **Decision Date:** 3 March 2016
Description: Application to discharge conditions 3 (drainage details), 9 (House Sparrow mitigation), 11 (Barn Owl survey), 13 and 16 (external facing materials), 17 (hard landscaping details), 18 (levels), 19 (landscaping details), 20 (Dwelling Emission Rate details) and 22 (scheme for the containment and storage of manure) attached to planning approval 14/00982/FUL
- Ref:** 16/00152/FUL **Decision:** WDN **Decision Date:** 3 October 2016
Description: Re-postioning of dwelling approved under application 14/00982/Ful and lawful barn under lawful development certificate 15/00340/Cleud and 3 bay stable block
- Ref:** 16/00737/FUL **Decision:** PERFPP **Decision Date:** 29 September 2016
Description: Re-positioning of dwelling and 3 bay stable block approved under application 14/00982/FUL, and Lawful Barn under application 15/00340/CLEUD
- Ref:** 16/00935/DIS **Decision:** PEDISZ **Decision Date:** 22 November 2016
Description: Application to discharge conditions 10 and 11 (dwelling emission rate), 14 (drainage), 16 (external facing materials) , 17 (levels) , 18 (landscaping) and 19 (manure containment and storage) of planning approval 16/00737/FUL

Ref: 17/00015/FUL **Decision:** WDN **Decision Date:** 17 May 2017
Description: Proposed replacement design of dwelling to that previously approved under application reference 16/00737/FUL

Ref: 17/00093/FUL **Decision:** REFFPP **Decision Date:** 30 March 2017
Description: Erection of dwelling following demolition of existing stables and storage buildings

Ref: 17/00599/FUL **Decision:** REFFPP **Decision Date:** 17 August 2017
Description: Erection of one detached dormer bungalow

Ref: 18/00823/DIS **Decision:** REDISZ **Decision Date:** 10 December 2018
Description: Application to discharge conditions numbered 3 (external materials) and 4 (hard & soft landscaping) attached to planning permission 17/00599/FUL (Erection of one detached dormer bungalow and relocation of approved agricultural barn/storage building)

Ref: 18/01180/DIS **Decision:** PEDISZ **Decision Date:** 22 January 2019
Description: Application to discharge conditions numbered 3 (external materials) and 4 (hard & soft landscaping) attached to planning permission 17/00599/FUL (Erection of one detached dormer bungalow and relocation of approved agricultural barn/storage building)

Ref: 19/00631/FUL **Decision:** WDN **Decision Date:** 24 September 2021
Description: Erection of two dwellings (involving the swapping and repositioning of dwellings previously approved under permission references 16/00737/FUL and 17/00599/FUL)

Ref: 20/00869/CLPUD **Decision:** PERPUD **Decision Date:** 23 October 2020
Description: Application for a certificate of lawfulness for the erection of one detached dormer bungalow and relocation of approved agricultural barn/storage building in accordance with the terms of the application, Ref 17/00599/FUL

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

Suggested conditions

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

Title	Plan Ref	Received On
Site Location Plan	21.02.2022	22 February 2022
Proposed Landscaping Plan to Satisfy Condition 17 (1600737FUL)	21.02.2022	22 February 2022
Cottage Heskin Proposed Floor Plans	1405 P 20	12 August 2016
Cottage Heskin Proposed Elevations	1405 P21	10 August 2016

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

2. Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the carriageway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain ungated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the carriageway.

Reason: To permit vehicles to pull clear of the carriageway when entering the site and to assist visibility.

3. The precautionary measures to ensure that impacts on bats are avoided as detailed in section 9.2.1.1 of the Bat, Barn Owl and Nesting Bird Survey at Town Lane Farm, Heskin (Envirotech NW Ltd, August 2014) shall be implemented in full during the course of the development and in accordance with the timescales specified.

Reasons: To ensure the development minimises the potential impact on bats.

4. All trees and hedgerows being retained in or adjacent to the application area shall be adequately protected during construction, in accordance with BS5837: 2012 Trees in relation to design, demolition and construction-Recommendations.

Reason: To safeguard trees and hedgerows during the course of development.

5. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

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.

6. No vegetation clearance works, site preparation works, demolition work or other works that may affect nesting birds shall take place between 1st March and 31st August inclusive, unless surveys have first been carried out by a competent ecologist which shows that nesting birds would not be affected.

Reason: In the interests of safeguarding nesting birds.

7. The development shall be implemented in accordance with the replacement nesting opportunities for House Sparrow to be installed in accordance with the letter from Envirotech dated 11th September 2015, received 27th May 2016. The approved details shall thereafter retained and maintained in accordance with the approved details and timescales contained therein.

Reasons: In the interests of safeguarding nesting opportunities for House Sparrows on the site.

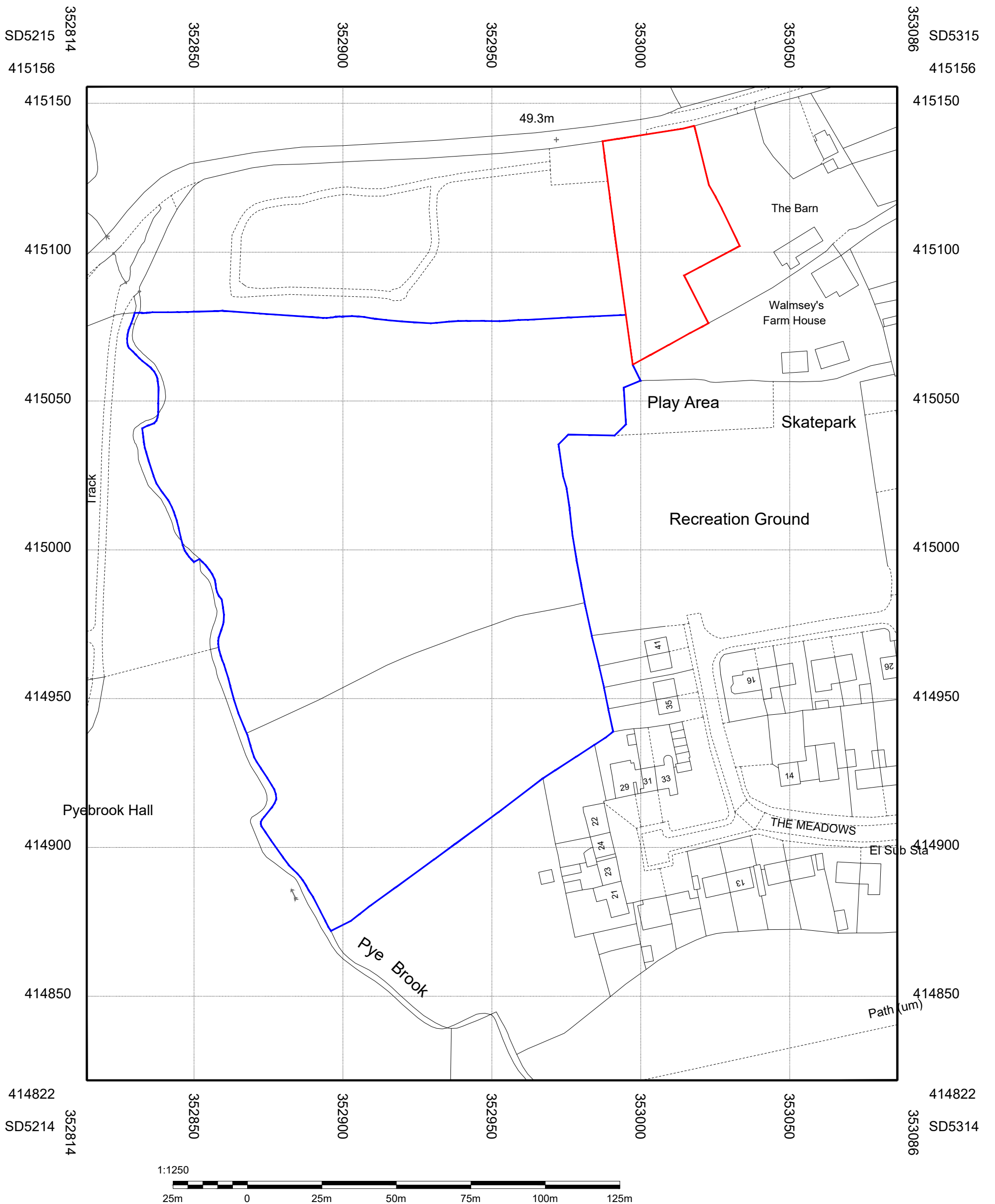
8. The development shall be carried out in accordance with the details relating to dwelling emission rates, drainage, external facing materials and site levels approved by discharge of condition ref. 16/00935/DIS.

Reason: In the interests of the amenity of local residents, the character of the area and minimising the environmental impact of the development.

9. All hard and soft landscape works shown on the approved drawing entitled 'Proposed Landscaping Plan to Satisfy Condition 17 (1600737FUL)' received on 22.02.2022 shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, 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. All planting should comprise only native plant communities appropriate to the natural area.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

MapServe



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APPLICATION REPORT – 21/01116/OUT

Validation Date: 15 September 2021

Ward: Ecclestone, Heskin And Charnock Richard

Type of Application: Outline Planning

Proposal: Outline application with all matters reserved for demolition of buildings and residential development for up to nine detached dwellings

Location: Hunters Lodge Motel Preston Road Charnock Richard Chorley PR7 5LH

Case Officer: Johndaniel Jaques

Applicant: Mr Peter Gilkes, Peter E Gilkes & Company

Agent: Mr Peter E Gilkes, Peter E Gilkes & Company

Consultation expiry: 20 October 2021

Decision due by: 8 March 2022 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt as defined by the Chorley Local Plan Policies Map. It is occupied by a motel and restaurant which is mainly single storey with a high pitched roof, although at the rear there is a two storey dormer element to the motel. At the rear of the site there are several outbuildings and storage containers. There are large areas of hardstanding used for parking across the site. There are also several trees on the site, mainly along the southern boundary.
3. To the south of the site is a residential dwelling known as The Oaks, and to the north of the site is agricultural land with a residential property Woodlands further north.
4. The land to be developed constitutes previously developed land, having regard to the definition set out in The Framework at Annex 2: Glossary which states:

“Previously developed land: Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape”.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks outline planning permission for the erection of up to nine dwellings. All existing buildings on site would be demolished. The application is in outline only, with all matters reserved.

REPRESENTATIONS

6. Sixteen representations have been received citing the following grounds of objection:
 - There are errors and inconsistencies in the submission.
 - Da Vinci's restaurant and the Hunters Lodge Motel are viable businesses that provide 18 jobs. These jobs and businesses would be lost and missed greatly by locals and visitors. They are a community asset. They are not closed as the application suggests and lease arrangements would be broken.
 - Existing tenants have invested a lot of money into the premises.
 - Many staff who live at Hunters Lodge would be made homeless.
 - The area does not need more executive houses with recently built ones struggling to sell, and services and infrastructure are under pressure.
 - This does not provide social or affordable housing which is in demand, and the size of the plot has been reduced by erecting a fence to avoid having to provide affordable housing.
 - Many accidents occur on the A49 with speeding traffic on this blind bend, and this will increase traffic.
 - This is overdevelopment and would spoil the streetscene
 - Allowing this will open the floodgates for more housing destroying countryside.
 - This does not meet the criteria for development in the Green Belt.

Three supporting representations have been received which make the following comments:

- The site is an eyesore with scrap cars stored there whereas a small development of more houses in the parish is welcome.
- People's concerns are inconsistent, they raise dangerous accidents but also say the businesses are busy, so the current site creates more traffic than 9 houses would.
- People complained about noise when a nightclub operated at the site.

CONSULTATIONS

7. Charnock Richard Parish Council – Object strongly and comment that the loss of amenity due to loss of a fully functioning hotel and restaurant would not be outweighed by the benefit of up to 9 detached dwellings. There is no proven need for more houses of this type in the village, and the lack of services and amenities would make the proposal unsustainable. The business not only served residents of Charnock Richard but the wider Chorley area. The proposal would result in an overdevelopment of the site and would result in a 70% increase in the volume of floorspace on the site, which is unacceptable and is over-intensification. Contrary to what the planning application form states the proposal would result in a loss of employment of local people in the village. Another serious concern is the proposed access to the development, given extremely poor sightlines when exiting the site onto a section of derestricted road, the main A49. Accidents are frequent at this location and highway safety would be compromised for homeowners exiting the site onto Preston Road and for motorists using the A49.
8. Lancashire County Council Highway Services (LCC Highway Services) – Advise that the development is acceptable in principle, subject to requirements being met and that there would be less trips associated with the proposed development than the existing motel. Conditions are recommended.
9. Greater Manchester Ecology Unit (GMEU) – Recommend conditions.

10. Council's Tree Officer – Recommends a condition to secure adherence to the tree protection plan and method statement.
11. United Utilities – Have raised no objections and recommend conditions.
12. CIL Officer – Advises that CIL Liability is not calculated at outline application stage, however, the development will be CIL liable on approval of the final reserved matters application.

PLANNING CONSIDERATIONS

Principle of development

13. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the National Planning Policy Framework (the Framework). Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
14. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
15. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 149 of the Framework of development that need not be considered inappropriate development in the Green Belt is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
16. Whilst the test for previously developed sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment which is considered further below, along with objective criteria in making that assessment. It is considered that in respect of the Framework, the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of an existing building on the site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
17. To engage with the exceptions of paragraph 149 of the Framework, which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the site.
18. This part of Charnock Richard is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (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."
19. Policy BNE5 of the Chorley Local Plan 2012 – 2026 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial

redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.

20. Whether harm is caused to openness depends on a variety of factors, such as the scale of the development, its locational context and its spatial and/or visual implications. At present, the site is occupied by a large building extending centrally across the site and to the north in a 'T' shape and a large formal parking area to the front of the site, with hardstanding and other structures to the rear. The presence of this existing development already causes harm to openness by its mere existence; and case law has established that for there to be a greater impact, there must be something more than merely a change.
21. The application proposes to demolish the existing buildings in order to offset the harm caused to openness which would arise from the proposed development proposal involves the demolition of all buildings on the site, which helps to offset the harm caused to openness which would arise from the proposed development.
22. In volumetric terms, the proposed dwellings combined would utilise the existing volumes on site, (for clarity this would not include the canopy at the front of the site), and the application states that this was include an uplift of 30%, although the calculations exceed this as the uplift in volume is calculated at 31.7%.
23. When considering any uplift in volume in the Green Belt, national policy allows for the replacement of a building, provided among other things, that they are not materially larger. The Council considers that a volume increase of up to 30% is not 'materially larger'. Accordingly, when applying this same approach to the development, an increase of up to 30% would not be a material increase when considering the impact on the openness of the Green Belt. The application documentation proposes a slightly higher volume, this is only indicative and the uplift could be controlled to a maximum of 30%.
24. Other factors to consider include the removal of buildings which are spread across the site, some of which are not visually attractive and the siting of up to nine detached dwellings set within gardens would provide a sense of openness within the development. Scale is not applied for at this stage, but it is considered that two storeys as a maximum would be an appropriate scale given the height of the existing building and having regard to the heights of dwellings to the north and south of the site; and would potentially reduce the overall footprint of development. This could be controlled by way of a planning condition. A suitably designed scheme with appropriate landscaping could be drawn up to enhance the appearance of the site as a whole, which in its current form detracts from the character and appearance of the area with the frontage also being dominated by a large car park. Although there would be a change in how the site looks, when taking the above factors into account, it is not considered that the redevelopment of the site for up to 9no. dwellings would have a greater impact on the openness of the Green Belt than the existing development.

Impact on the character and appearance of the area

25. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided 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; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
26. Parts of the application site especially to the rear of the motel have a generally tired and unkempt appearance which undermine the overall appearance of the site and the main building itself is not particularly of any architectural merit. The redevelopment of the site provides the opportunity to enhance the site as a whole subject to design considerations as set out in Chorley Local Plan policy BNE1 which would be dealt with at Reserved Matters stage.

Impact on neighbouring amenity

27. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
28. Given this is an outline application the impact of the proposal on neighbour amenity would be a detailed matter which would be assessed at Reserved Matters stage. Any proposed scheme would need to ensure that an acceptable layout is achieved with adequate separation distances, to avoid adverse impacts on neighbouring residential amenity, and that of future occupiers.
29. In terms of land use compatibility, the proposed residential use would be compatible with neighbouring uses.

Highway safety

30. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
31. LCC Highway Services have assessed the application and advise that the proposal is acceptable in principle and that there would be less trips associated with the residential development than the motel.
32. LCC Highway Services set out several requirements which any reserved matters application must address in particular as part of the layout, and these include the widths of internal access roads and parking requirements.
33. Whilst the indicative plan shows that the existing access would be utilised, this is not a detailed matter, however, any access would need to accord with the relevant standards and requirements of LCC Highway Services.

Whilst it is noted that objections have been received in relation to highway safety matters, including (among other things) the speed of traffic on the road, the access on a blind bend and accidents, in the absence of any objection from LCC Highway Services, a reason for refusal on highway grounds would not be warranted as part of this outline application.

Impact on ecological interests

34. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that biodiversity and ecological network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species. In addition, the policy states that development must adhere to the provisions which includes: Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.
35. The application is accompanied by an ecological survey which found no evidence of roosting bats, or evidence of bat occupation, either current or historic, at the site. This has been

reviewed by the Council's ecology advisors at Greater Manchester Ecology Unit (GMEU) who raise no objections. However, they advise that several conditions are secured to ensure that the recommendations set out in the survey report are adhered to.

36. Having regard to the above and the advice obtained from GMEU it is not considered that the proposed development would be detrimental to nature conservation interests and accords with policy BNE9 of the Chorley Local Plan.

Impact on Trees

37. 4no. Cypress trees would be felled as part of the proposed development. The Council's Tree Officer considers that these have limited arboricultural value but recommends that they are replaced. A condition is recommended to secure this, as is one to ensure that the tree protection plan and method statement need to be adhered to so retained trees are protected.

Public open space

38. 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.
39. 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.
40. 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.
41. 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.
42. Consequently, 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 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
43. There is currently a deficit of provision in Chisnall in relation to this standard, however the site is not within the accessibility catchment of an area of provision for children/young people. A contribution towards new provision in the accessibility catchment would, therefore, be required however, there are no new identified schemes and as such a financial contribution cannot be required.
44. Therefore, a public open space commuted sum is not requested for this scheme.

Sustainability

45. 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.”

46. 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 conditions.

Contamination

47. Paragraph 183 of the Framework sets out that sites should be suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Due to the sensitive end-use of the development (residential housing with gardens), and the current use of the site which includes hardstanding areas used for car parking it is considered prudent for the applicant to submit a report to identify potential sources of contamination and any remediation measures as necessary. This is to be conditioned.

Drainage

48. United Utilities have recommended several drainage conditions.

Community Infrastructure Levy (CIL)

49. 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 is not calculated at outline stage but it will be CIL liable on approval of the final reserved matters application and the charge is subject to indexation in accordance with the Council’s Charging Schedule.

Other matters

50. Loss of employment has been raised in objections, however, the site does not fall to be considered under policy Core Strategy policy 10.
51. Objections also consider that the application will open the flood gates to more housing in the countryside. Any application received by the Local Planning Authority would be determined in accordance with the relevant policies of the Development Plan and any material considerations.
52. Objectors are concerned that the homes are not affordable, however, the application does not trigger affordable housing provision.

CONCLUSION

53. The proposal accords with exception (g) of paragraph 149 of the National Planning Policy Framework and is not, therefore, inappropriate development in the Green Belt. The application is in outline form only, and full details would be reserved for later consideration in respect of detailed design, amenity, access, parking and landscaping. Nature conservation interests would not be harmed. The principle of residential development for up to nine dwellings on this site, including the demolition of the existing buildings is considered to be acceptable in planning policy terms. The application is, therefore, recommended for approval accordingly, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 5/5/08691	Decision: WDN	Decision Date: 10 August 1973
Description: Bungalow Cafe		
Ref: 75/00263/FUL	Decision: REFFPP	Decision Date: 30 June 1975
Description: Change of use of dormitory/garage to wholesale warehouse and distribution depot		
Ref: 76/00029/FUL	Decision: PERFPP	Decision Date: 9 February 1976
Description: Extensions (kitchen/toilets) and alterations		
Ref: 76/00530/FUL	Decision: PERFPP	Decision Date: 14 September 1976
Description: Bungalow and Motel		
Ref: 76/00753/ADV	Decision: PERADV	Decision Date: 7 December 1976
Description: Illuminated signs		
Ref: 76/00860/FUL	Decision: PERFPP	Decision Date: 7 December 1976
Description: Temporary siting of caravan		
Ref: 77/00329/FUL	Decision: PERFPP	Decision Date: 2 August 1977
Description: Bungalow		
Ref: 77/01016/FUL	Decision: PERFPP	Decision Date: 14 February 1978
Description: Motel (12 bedrooms)		
Ref: 77/01045/FUL	Decision: PERFPP	Decision Date: 24 January 1978
Description: Garage		
Ref: 78/00669/ADV	Decision: PERADV	Decision Date: 21 August 1978
Description: Illuminated wall sign		
Ref: 78/00748/FUL	Decision: PERFPP	Decision Date: 12 September 1978
Description: Extension (bar/reception/breakfast room/cellar/store/kitchen areas)		
Ref: 78/01214/FUL	Decision: PERFPP	Decision Date: 9 March 1979
Description: First floor motel extension		
Ref: 79/00801/FUL	Decision: PERFPP	Decision Date: 6 August 1979
Description: Cold water storage tank		
Ref: 80/00835/OUT	Decision: PEROPP	Decision Date: 23 December 1981
Description: Extension to Motel (20 bedrooms)		
Ref: 81/00904/FUL	Decision: PERFPP	Decision Date: 5 January 1982
Description: Conversion of existing double garage to function room with link to existing function room		

Ref: 82/00399/FUL **Decision:** PERFPP **Decision Date:** 29 May 1986
Description: Extension (17 bedrooms and swimming pool)

Ref: 84/00245/FUL **Decision:** PERFPP **Decision Date:** 2 October 1984
Description: Part change of use to public house, new reception area with toilets and entrance porch and toilets to function room

Ref: 85/00477/FUL **Decision:** PERFPP **Decision Date:** 9 July 1985
Description: New entrance for function room

Ref: 85/00570/ADV **Decision:** WDN **Decision Date:** 9 October 1985
Description: Display of double sided internally illuminated sign on forecourt

Ref: 86/00693/FUL **Decision:** PERFPP **Decision Date:** 3 February 1987
Description: Conversion of ground floor of house to four hotel bedrooms and bathrooms

Ref: 87/00244/ADV **Decision:** PERADV **Decision Date:** 26 May 1987
Description: One free standing post mounted advertisement sign and four illuminated lantern signs

Ref: 89/00279/FUL **Decision:** PERFPP **Decision Date:** 19 July 1989
Description: Conservatory

Ref: 93/00232/ADV **Decision:** PERFPP **Decision Date:** 13 May 1993
Description: Display of illuminated advertisement sign

Ref: 95/00398/ADV **Decision:** PERADV **Decision Date:** 29 November 1995
Description: Display of externally illuminated freestanding advertisement sign

Ref: 01/00393/ADV **Decision:** PERADV **Decision Date:** 18 June 2001
Description: Consent to display 2 illuminated signs

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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APPLICATION REPORT – 21/01465/FUL

Validation Date: 5 January 2022

Ward: Chorley North East

Type of Application: Full Planning

Proposal: Erection of two storey extension to south side, installation of over-cladding to existing store frontage, installation of solar photovoltaic panels, and alterations to car park layout and associated works

Location: Doorway To Value 50 Preston Road Whittle-Le-Woods Chorley PR6 7HH

Case Officer: Mr Iain Crossland

Applicant: Stokers Ltd

Agent: Mr Thomas Lord, Turley

Consultation expiry: 26 January 2022

Decision due by: 2 March 2022

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located within the Green Belt and lies off the A6 Preston Road c.1.2km to the south of Whittle-le-Woods, c.2.5km north of Chorley town centre and c.10km south of Preston. It extends to 0.93 hectares (ha) and is occupied by a single storey commercial unit (Use Class E), which comprises 4,235m² (GIA) of retail floor space with associated storage and administrative accommodation and has direct access from Preston Road (A6).
3. The existing building is a warehouse type building that has been extended and clad and has large window openings. It is faced in buff coloured Forticrete ashlar masonry with random courses and formed coping, bronze coloured polyester powder coated aluminium windows and insulated profiled clad roof. The building is of a scale and appearance that stands out in the locality and occupies a prominent position on a main highway although it is set back from and at a higher level to the highway.
4. Land to the south and west of the furniture store building comprises hard surface car parking for visitors and staff, with vehicular access/egress to the A6 from the north west and southwest. Existing landscaping is situated along the western boundary of the site, adjacent to the A6. A gated area of hard surfacing is also located to the north of the store, providing staff parking and delivery access. To the east and north east, the application site boundary is landscaped with tree planting and a grass embankment.
5. The site lies to the south and east of residential development with two dwellings and a public house situated to the south. There is open agricultural land to the east, whilst the west and north of the site display a suburban character, being of a predominantly residential development.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. This application seeks planning permission for the erection of a two storey extension to the south side of the existing building and includes the installation of over-cladding to the existing store frontage, installation of solar photovoltaic panels, and alterations to the car park layout and associated works. The proposed extension would be of modern appearance with a flat roof, large glazed panels and a lower level link between that and the existing building. The proposed extension would provide approximately 906m² of additional gross external area (GIA).

REPRESENTATIONS

7. Representations have been received from the occupiers of 2no. addresses citing the following grounds of objection:
 - Impact on amenity of residential occupiers due to the scale of what is proposed.
 - Loss of privacy for residential occupiers opposite due to overlooking impact.
 - Loss of light to residential dwellings due to elevated position.
 - Impact on highway safety and capacity due to increased parking requirement.
 - Lighting would harm amenity of neighbouring occupiers.
 - Issues with run off from development.
 - The development may alter surface water run-off.
 - Potential structural impacts on houses and buildings opposite the site.
 - Can it be guaranteed that there will be no impact on nearby residents during construction?

CONSULTATIONS

8. Whittle le Woods Parish Council: Have commented that they wish to ensure that due consideration is provided to the neighbours of the property, that all materials used are in keeping with the established dwelling and area, and that property boundaries are not encroached upon in any way.
9. Greater Manchester Ecology Unit: Have raised no objection.
10. Waste & Contaminated Land: Have confirmed that they have no comments to make.
11. Lancashire County Council Highway Services (LCC Highway Services): Have no objection subject to conditions.
12. United Utilities: No comments have been received.

PLANNING CONSIDERATIONS

Principle of development

13. The National Planning Policy Framework (the Framework) sets out that the purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs.
14. Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):
 - a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;

- b) a social objective – to support strong, vibrant and healthy communities, by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and
 - c) an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.
15. At the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
16. For decision-taking this means:
- approving development proposals that accord with an up-to-date development plan without delay; or
 - where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
17. Paragraph 81 of the Framework covers Building a Strong Competitive Economy and states that planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
18. The application site is located wholly within the Green Belt, and national guidance on Green Belt is contained in Chapter 13 of the Framework which states:
- 137. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*
- 138. Green Belt serves five purposes:*
- a) to check the unrestricted sprawl of large built-up areas;*
 - b) to prevent neighbouring towns merging into one another;*
 - c) to assist in safeguarding the countryside from encroachment;*
 - d) to preserve the setting and special character of historic towns; and*
 - e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*
- 147. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*
- 148. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*
- 149. A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*
- a) buildings for agriculture and forestry;*
 - b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and*

- allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
 - d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
 - e) limited infilling in villages;*
 - f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
 - g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.**
19. Policy BNE5 of Chorley Local Plan 2012 – 2016 relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:
The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:
- In the case of re-use*
- a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*
 - b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*
- In the case of infill:*
- c) The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*
- In the case of redevelopment:*
- d) The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.*
20. The application site is occupied by a large building, used as a furniture retail business, that has been extended over time with significant areas of hard surfacing within its curtilage that are used for parking, manoeuvring and loading of vehicles, whilst there is landscaping to the periphery. The established use of the site must be considered to be previously developed land in the Green Belt.
21. The proposed development involves an extension to the existing building. One exception to inappropriate development in Green Belt set out at paragraph 149.c) is the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.
22. Whether the proposed extension would result in disproportionate additions over and above the size of the original building is a subjective judgment. Objective criteria could include the volume of the existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. The Central Lancashire Rural Development Supplementary Planning Document does, however, set out that when considering what may be a disproportionate addition increases of over 50% of the volume of the original building that stood in 1948, will be considered inappropriate. albeit it is noted that this volume criteria is intended to relate to residential dwellings rather than commercial buildings.
23. The proposed extension would be of a greater massing than the existing building as it would have a flat roof with a height greater than the eaves height of the existing building and

slightly above that of the ridge. However, the width of the proposed extension would be considerably less than the expanse of the existing building frontage facing the highway, as would the footprint resulting in a degree of subservience despite the height. Notwithstanding this, as a result of previous extensions, the cumulative increase in floorspace following the proposed development would be 130% larger than the floorspace of the original building, whilst the cumulative increase in volume would be significantly greater than 50% of the volume of the original building. As such the proposed development would result in a disproportionate addition over and above the size of the original building and would not meet with the relevant exception set out at paragraph 149 of the Framework. The proposed development is considered to represent inappropriate development and is, therefore, by definition, harmful to the Green Belt.

24. As it has been established that there is harm to the Green Belt by definition, any other harm caused by the development must also be considered and added to the definitional harm. The part of the site in which the development would be carried out is currently open, although it is hard surfaced. The proposal would introduce a two storey structure that would project to the south of the existing building and would extend the built form on this side of the A6. As the site is highly prominent from the public highway and the development would be clearly visible it would inevitably diminish openness to some extent particularly when viewed from the south and west. It must, therefore, also be considered that the development would result in some harm to openness.
25. Considering each of the five purposes of the Green Belt as set out in the Framework in turn:
26. Purpose 1 (to check the unrestricted sprawl of large built-up areas)
The proposed development would extend the built form of development further south, however, as it would be an extension of the existing building into the existing hard standing within the site it would be read as part of the existing building and, therefore, would not result in, or contribute to, the unrestricted sprawl of the built up area.
27. Purpose 2 (to prevent neighbouring towns merging into one another)
The development of the site would not result in neighbouring towns merging into one another.
28. Purpose 3 (to assist in safeguarding the countryside from encroachment)
The proposed development would be contained within a previously developed site on an area of hardstanding and would not, therefore, lead to any encroachment into the countryside beyond the developed area.
29. Purpose 4 (preserve the setting and special character of historic towns)
The site is not located within or near to a historic town, and the proposed building would not be located within the setting of any listed buildings.
30. Purpose 5 (to assist in urban regeneration by encouraging the recycling of derelict and other urban land)
There would be no material impact on this purpose given that the proposed development is small scale development and specifically related to an existing business that has been established on the site for a significant period of time.
31. On the basis of the above it is not considered that there would be any other harm to the purposes of including land within the Green Belt.
32. In consideration of other matters of principle this part of Whittle le Woods lies outside the settlement area, is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (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."*

The proposed development would be small in scale and therefore complies with this policy.

Delivering economic prosperity - Shopping

33. Paragraph 87 of the Framework states that Local Planning Authorities should apply a sequential test to planning applications for main town centre uses which are neither in an existing centre nor in accordance with an up-to-date plan. Main town centre uses should be located in town centres, then in edge of centre locations; and only if suitable sites are not available (or expected to become available within a reasonable period) should out of centre sites be considered.
34. Paragraph 88, goes on to state that when considering edge of centre and out of centre proposals, preference should be given to accessible sites which are well connected to the town centre. Applicants and Local Planning Authorities should demonstrate flexibility on issues such as format and scale, so that opportunities to utilise suitable town centre or edge of centre sites are fully explored.
35. Central Lancashire Core Strategy policy 11 reflects this approach setting out that main town centre uses should be focussed in the defined town centres. The application site is not within a town centre or edge of centre location and must be considered out of centre.
36. Policy EP9 of the Chorley Local Plan 2012-2026 specifically relates to development in Edge-of-Centre and Out-of-Centre Locations, and reflects the thrust of the Framework. This states that:
- Outside the town, district and local centres, change of use and development for small scale local shopping and town centre uses (either as part of mixed use developments or in isolation) will be permitted where:*
- a) *The proposal meets a local need and can be accessed in its catchment by walking, cycling and public transport; and*
 - b) *Does not harm the amenity of an adjacent area; and*
 - c) *The Sequential Test and Impact Assessment are satisfied setting out how proposals do not detract from the function, vitality and viability of the borough's hierarchy of centres.*
37. In relation to criteria a) the application site is located to the southern extent of Whittle le Woods and lies at the very edge of the settlement area. Whittle le Woods has grown significantly over the last decade and as such the site is within walking distance of a reasonably large catchment. It also lies adjacent to a high frequency bus route and as such is accessible to a large catchment via public transport. Although the retail development serves a need beyond the locality it is also serving a local need and is a well established existing business that is seeking to expand within their own site.
38. The site is well established and is set within an area of mixed vernacular and character. The development would be within the existing site and designed to form a visual link with the existing building. It would be viewed in that context and as such would not be harmful to visual amenity. In relation to any impacts on residential amenity these are considered later in the report, however, it is considered that the building can be extended without harm to the amenity of nearby residential occupiers.
39. Turning to criterion c) paragraph 6.26 of the Local Plan states that - *To maintain the balance between the role and function of Chorley Town Centre, the District Centres and Local Centres, Chorley Council will apply the sequential test and impact assessment to new retail development and main town centre uses, as set out in the Framework and Planning Practice Guidance. The Sequential Test requires major retail, cultural and service development to be located on the most central sites in town centres before considering less central sites. A sequential test will apply to planning applications for main town centre uses that are not in an existing centre. The aim is to minimise the need to travel, provide a diverse range of services in the one central location and make facilities accessible to all. This approach is intended to sustain and focus growth and investment in the Town Centre.*

40. Paragraph 6.27 of the Local Plan goes on to state that - *The Impact assessment is required for planning applications for retail, leisure and office development outside of town centres where the development is 2,500sq m and over, to ensure they would not detrimentally impact the function, vitality and viability of the borough's hierarchy of centres. The Impact assessment will be particularly relevant to edge-of-centre and out-of-centre proposals. In assessing vitality and viability consideration will be given to pedestrian flows, vacancy rates, numbers and range of facilities, quality of the urban environment and the general performance of the centre.*
41. The proposal does not require an Impact Assessment as it falls well beneath the threshold. The Sequential test must, however, be satisfied. Retail development is defined in Annex 2 of the Framework as a main town centre use. A sequential test is provided in line with EP9 c).
42. The sequential test considers whether there are any sequentially preferable sites within 300m of, Chorley Old Road Local Centre, Whittle-le-Woods, and finds there are none. It is noted that the Central Lancashire Retail and Leisure Study (2019) review of this local centre concludes that *Chorley Old Road centre is not currently fulfilling a role as a local centre for residents as it does not include a range or mix of shops and services or even a convenience store. The long-term vacancy of one of the units in the centre and the more recent departure of two further operators indicates a lack of demand from operators to locate in the centre.* The applicant used the Council's brownfield register, as well as a commercial property database and the Council's planning database in order to identify potential alternative sites. No sites are identified and it is noted that the application is for an extension to the existing building, which is a large furniture store.
43. As the store is long established and fixed in its location the additional floorspace proposed could not realistically be provided in an alternative location, and would not deliver the trading format required to sustain the business in the long term. Similarly it would not be feasible for the business to relocate to an alternative location to achieve the destination store format sought by the applicant to achieve the longevity of the business, and given the level of investment embedded in the existing site and facilities.
44. It has been demonstrated that there are no in-centre or edge-of-centre opportunities that are suitable and available and which should be favoured over and above the application site, whilst there are no other sites for consideration.
45. It is considered that the applicant has addressed policy EP9 criterion a) and c) of the Chorley Local Plan 2012 - 2026. The proposal has been designed to respond to a particular type of need, and can be readily accessed by walking, cycling or public transport. Given the scale of the proposed development and circumstances that it would be an extension to an existing building to support and existing business, it would not detract from the function, vitality and viability of Chorley Town Centre or any nearby district centres. The impact of the proposal on the amenity of an adjacent area – criterion b) EP9 is addressed later in the report.
46. The proposal is considered to comply with policy EP9 of the Chorley Local plan 2012-26, however, as the proposed development would result in definitional harm to the Green Belt and harm to openness, there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm.

Design and impact on the character of the area

47. The application site is located on a main arterial highway that carries a significant volume of road traffic to access the M61 and Chorley, and is a key gateway into Chorley. The site is occupied by a large furniture retail store that is of an individual design and appearance and is of notable scale in this locality. It is set back from the highway and sits at a higher level which results in a high degree of prominence. The character of the surrounding area is somewhat mixed with dwellings of traditional design faced in red brick and local stone, whilst most properties are two storey in height and of domestic scale.

48. The proposal includes the erection of a two storey extension of contemporary modern design style with a flat roof and full length window openings. It would be of a different form and scale to the existing building, which has a dual pitched roof and would exceed the eaves and ridge height of the existing building. As such it would purposefully result in a contrasting form of development attached to the main building via a lower level link, which would provide a sense of separation. The proposed extension would be faced in similar materials to the existing building and although its scale and form would differ it would not be harmful to the appearance of the existing building, which is it noted would be re-clad in order to enhance the degree of assimilation.
49. Although the proposed extension would be set back within the site it would have windows facing onto Preston Road creating some degree of active frontage and natural surveillance across the site and associated car parking. The peripheral landscaping that would be retained would help to frame the development and soften the visual impact. Given the significant scale of the existing building the proposed development is considered to be commensurate with it despite the height and massing. The existing building would be re-clad and the proposed extension would result in a contrasting form of development that would create a degree of interest rather than harm the appearance of the site, and would not appear discordant when viewed in the context of the wider site. Overall, the proposed development would not be harmful to the character of the area in the context of the existing development. The proposed development is, therefore, considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012 – 2026.

Impact on neighbour amenity

50. The application site is located to the east of dwellings located on the opposite side of Preston Road, whilst it is noted that there are also dwellings located on the same side of Preston Road to the north and south of the site.
51. The proposed extension would be situated to the south side of the existing building and as such would be nearest to dwellings at nos.21 to 31 Preston Road on the opposite side of the highway to the west. The proposed extension would be two storeys in height and would be sited at a higher level relative to these properties. The extension would be located over 40m from the front elevations to these properties, which is a significant degree of separation, whilst there is also an intervening highway and landscaping. Although the proposed extension would be visible from the front of these dwellings, the scale of development and degree of separation are such that there would be no unacceptably harmful impact on light, outlook or privacy. Although some degree of inter-visibility may be possible, views from the windows within the proposed extension would be fleeting as customers and staff would move around within the building engaged in the activity of buying and selling items of furniture, rather than seeking out windows from which to spend time enjoying the visual amenity that they may provide. Furthermore the degree of separation is such that it is well in excess of the inter-visibility distance guidelines that are applied to facing windows between dwellings, whereby window views are more readily enjoyed for the visual amenity that they provide.
52. The nearest dwelling to the south at no.14 Preston Road has a side elevation facing the proposed development and would be further removed from the extension. As such there would be no unacceptably harmful impact on light, outlook or privacy. It is noted that this dwelling is close to an existing site entrance that would be retained, whilst no.54 Preston Road would be located close to the northern site entrance. No.51 Preston Road would be directly opposite this entrance, whilst nos.11 and 13 Preston Road would be directly opposite the southern entrance. It is recognised that there may be some potential for noise and disturbance from the site in relation to the occupiers of these nearby properties if there were to be a significant increase in vehicles accessing the site.
53. The applicant has carried out a parking accumulation exercise that demonstrates that the parking requirement for the site would experience a small increase in excess of current patronage levels, such that it is not anticipated that the proposed development would result in significantly higher numbers of vehicles entering and exiting the site than already occurs, or has occurred in the past. It is also noted that Preston Road is a main arterial route and as

such the area is already dominated by traffic along the main road. The predominant activity from the proposed development would also have the character of general traffic and so should be aurally indistinguishable from it, and any impact on amenity of residential occupiers would not be materially greater than currently levels of amenity.

54. In order to provide safe access for customers to the store and for vehicle parking, the proposed development incorporates five LED luminaires, which are located along the front elevation of the building. The application is supported by a technical note that provides an evaluation of the technical aspects of external lighting to the proposed extension and the impacts on lighting spill up to the boundary. The lighting plot indicates that the boundary lux level is approximately 5 lux to the south, approximately 6 lux to the west and no illuminance to the east of the development beyond the boundary. These levels of illuminance are considered such that there would be no unacceptable impact on the amenity of nearby residential occupiers through light pollution, given the context of a well-lit major highway.
55. On the basis of the above, it is considered that the proposed development would not result in any unacceptable harm to the amenity and living conditions of nearby residents, and the development complies with criterion b) of policy EP9 and policy BNE1 of the Chorley Local Plan 2012 - 2026.

Highway safety

56. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network. With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists, public transport, motorists and other vehicles in and around the area have been identified.
57. The site is to the east of Preston Road, Whittle-Le-Woods, between Buckshaw Avenue and the B6229 Moss Lane. It is an existing furniture retail store of 4235m² gross floor area (gfa) with two existing accesses onto Preston Road. There are 93no. existing car parking spaces on site, including 1no. disabled bay.
58. A total of 11 traffic accidents were recorded in the most recent 5-year period from 2016-2020 on the section of Preston Road fronting the site from Buckshaw Avenue in the south to Moss Lane in the north. 6 of the accidents occurred at the traffic signal at Preston Road/Buckshaw Avenue, while 2 occurred at the junction of the site's south access with Preston Road. An accident each occurred at Preston Road/Foxglove Drive and Preston Road/Moss Lane and on Preston Road at a point midway the site frontage.
59. Nine of the accidents were recorded as slight while 2 were recorded as serious. The serious accidents occurred on Preston Road at a point approximately 70m north of the site's south access involving a motorcyclist and at the traffic signal. 2 slight accidents at the traffic signal and 1 at the site's south access involved pedal cyclists.
60. The level of traffic accidents within the short length of Preston Road from Buckshaw Avenue to Moss Lane is comparatively higher than the local average rate, therefore, the applicant will be required to implement mitigation measures towards alleviating the accident problems.
61. The proposal is to carry out a two storey extension to a scale of 998m² gfa at the south end of the existing building and re-organise the existing car parking spaces on site to include provision of 12 space staff car park at the north end of the existing building.
62. The parking re-organisation would lead to a reduction in the overall parking provision on site from the existing 93no. spaces to 84no. (including 6no. disabled spaces and 12no. spaces for staff). In support of the proposed reduced parking, the applicant conducted a parking accumulation survey of the existing parking situation between the hours of 12:00-16:00 on Saturday 18 September 2021. The survey shows that during the site's busiest parking demand period of 15:00 and 15:10, a maximum of 47no. parked cars were counted on site, which is approximately 51% occupation of the existing 93no. spaces.

63. The proposed extension of 998m² gfa equates to 24% increase in scale from the existing 4235m² gfa to 5233m². The applicant assumes that parking demand due to the extension would be proportionate to this percentage increase and therefore estimates that the maximum peak parking demand of 47no. spaces would increase by 24% following the extension to 58no. spaces, thus demonstrating that although the proposed extension would result in the loss of existing parking spaces, the proposed 84no. spaces would be adequate to meet the site's parking requirements. The applicant's assumption and the method used in assessing the required level of future parking demand is acceptable.
64. Overall, the proposal is acceptable, however, as indicated above, given the level of traffic accidents at this location, there is need for measures to be implemented to ensure safe access and egress of the site. It is considered that the applicant rationalises the existing site accesses and renew the existing road markings on Preston Road from Buckshaw Avenue to the B6229 Moss Lane.
65. The corner radii of the site's south access are excessive and appears to encourage motorists to turn earlier than they should when accessing and egressing the site. The access should be standardised with the provision of a vehicle dropped crossing and new kerb realignments to reduce the existing corner radii to 6.0m. The improvements should include the installation of dropped kerbs and tactile pavings at the ends of the footways on both sides of the access. The hedgerow at the corners of the access should be reduced to less than 1.0m in height for improved visibility.
66. The site's north access should also be rationalised as a properly constructed vehicle access with 6.0m corner radii extended to the edge of carriageway. The existing vehicle dropped crossing overlaps the adjacent residential boundary causing motorist to undertake turns in and out of the site without clear sight of approaching hazards and the pedestrian dropped kerbs provided at the end of the footway on the south side of the access is overrun by vehicles egressing the site. As part of improvements of the access, the pedestrian dropped crossing should be reinstated and; new dropped kerbs and tactile pavings provided at the end of the footways on both sides of the access.
67. In addition, LCC Highway Services consider that the existing carriageway markings on Preston Road from its junction with Buckshaw Avenue to its junction with Moss Lane should be renewed as part of the safety measures.
68. The proposal is acceptable subject to the improvements set out above, which would be undertaken through the s278 agreement of the Highways Act 1980 with the applicant responsible for all costs. It is, therefore, recommended that conditions are attached to any grant of planning permission requiring a scheme for the construction of the site access and the off-site works of highway improvement and its implementation.
69. LCC Highway Services raise no objection to the proposed development on highway safety grounds and have not identified any severe residual cumulative impacts on the local highway network. The Framework is clear in stating that *'Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe'*. On this basis there are no highway grounds that would meet the threshold for any refusal of the proposed development.

Ecology

70. The Council's ecology advisors GMEU have considered the proposal and raise no objection. The application is accompanied by an ecology report that includes a Preliminary Ecological Assessment. This found the building to be extended to have negligible bat roosting potential. GMEU consider that the ecological assessment has been undertaken by a suitably qualified ecologist and followed best practice guidelines, and the findings of the assessment are accepted.

Flood risk and drainage

71. 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.
72. 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.
73. It is recommended that the applicant implements a scheme in accordance with the surface water drainage hierarchy outlined above.

Other matters

74. *Potential structural impacts on houses and buildings opposite the site:* This is a civil matter that should be addressed between private parties in the event that structural damage is caused.
75. *Can it be guaranteed that there will be no impact on nearby residents during construction?:* It is inevitable that there would be some impact on the amenity of nearby residential occupiers during the course of any development scheme, however, such impacts are temporary and relatively short lived, whilst it is also noted that there is a good degree of separation between residential dwellings and the application site.

Green Belt balancing exercise

76. It has been established that there is definitional harm to the Green Belt as the proposal is inappropriate development in the Green Belt, and there would be harm to openness. It is considered that there would not be any further harm. Development of this type should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.
77. With a view to demonstrating very special circumstances the applicant has advanced several factors and benefits for consideration in the planning balance.

Economic Sustainability and Direct Job Creation

78. The proposed development represents a significant and essential investment by the Applicant to expand and enhance the retail store, delivering opportunities for the expansion of product lines and the associated enhancement of revenues generated by increased sales. Such investment is essential to securing the long-term financial sustainability of a local business, enabling it to respond to changing market and economic conditions, particularly in light of changes to consumer behaviours and the economic impact of the COVID-19 pandemic.
79. Furthermore, as set out within the Design & Access Statement, the existing Doorway to Value (DTV) store employs a total of 37no. staff, with an additional five staff employed by the concessionary retail outlets. The creation of additional retail floorspace would not only secure these roles but would also create a need for additional staff to assist in the operation and management of the store. It is, therefore, anticipated that the proposed development would create 15no. additional jobs, increasing total employment to 52no. staff members (excluding concession staff). In addition, the proposed development would generate direct local employment during the construction as well as supporting other businesses within the supply chain.

The Absence of Alternatives

80. The proposed development seeks to deliver additional floorspace which is required to create a destination retail store which can compete within the modern retail sector (including with on-line offerings).
81. The additional floorspace is not footloose and its provision in an alternative location would not deliver the trading format required to sustain, in the long term, the DTV business. Similarly, it would not be feasible for the DTV to relocate to an alternative location to achieve the destination store format required, given the level of investment embedded in the existing site and facilities. Simply put, the trading format required and the benefits of the proposed development which stand to be realised can only be achieved through expansion of the existing store in the manner proposed.
82. In the circumstances the purpose and benefits of completing a sequential assessment of alternative sites (as required by national and local policy) is limited. Notwithstanding this primary proposition a Sequential Test assessment has been completed and is submitted alongside this application. The assessment demonstrates that there are no 'suitable' and 'available' sites within or on the edge of Chorley Old Road Local Centre (the search area) that could realistically accommodate the scale and form of development for which planning permission is sought, even demonstrating reasonable flexibility.

Improving the Built Environment

83. The proposal would create a high-quality development, seeking to enhance the visual appearance of this gateway site at the edge of Chorley along the A6 and provide an attractive retail setting for customers. It would incorporate high quality materials which reflect and complement the local context and seek to integrate the development into the existing built environment. The proposed development would enhance the visual amenity of the site and improve the setting of the A6 Preston Road.

Contribution to Reduction of Carbon Emissions

84. As demonstrated by the Energy & Sustainability Statement, the proposed development would incorporate a series of energy efficiency and low carbon construction measures which would result in a 33.65% improvement in CO2 emissions above the Building Regulations baseline. In particular, this includes the installation of solar PV panels to the roof of the proposed extension. This contribution to reducing carbon emissions and mitigating the impact of the development on climate change is a hugely important benefit which should be afforded substantial weight.
85. Paragraph 81 of the Framework states that *planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.*
86. The proposal would result in an additional 15no. direct jobs in addition to the protection of existing jobs, which is in line with the Framework and the Local Plan, paragraph 6.1 of which states that *the long term sustainability of Chorley depends on developing the local economy and providing enough jobs for existing and future generations.* The applicant also sets out that the expansion of the store is a necessity for the business to remain viable and sustainable into the future. As such the proposed and existing jobs are dependent upon the proposed development. This is considered to carry significant weight in the planning balance.
87. The proposed expansion can only take place on the application site, as this is the established location of the business. As such there are no alternative locations and the proposed development on the site is the only way in which the business can expand to adapt its offer and retain its presence and economic value to the Borough. This is considered to carry significant weight in the planning balance.

88. The proposed extension and overhaul of the existing building would rejuvenate the site to some extent, and given that the site and extended area is previously developed land this has some moderate benefits. Climate change is a priority for the Council and a new Climate Change Strategy for Chorley is being prepared. Approval for a public consultation on the new strategy was given at Executive Cabinet on 20th January 2022. The Climate Change Strategy will help the Council to deliver on its 2019 declaration to be net zero carbon by 2030. It is considered that the proposed installation of solar panels as part of this application fits with the Council's climate change priority and, therefore, carries great weight.
89. When taking into account the considerations in respect of this application, it is considered that the case put forward by the applicant cumulatively amounts to very substantial weight. This cumulative weight is such that it is considered to amount to very special circumstances that carry substantial weight and in this instance amounts to the very special circumstances required to overcome and outweigh the definitional harm to the Green Belt, which must be accorded substantial weight in line with the Framework.

CONCLUSION

90. The proposed erection of a two storey extension to the south side of the existing building is inappropriate development in the Green Belt. It is, however, considered that in this instance there are very special circumstances to overcome the definitional harm to the Green Belt. The impact on the character and appearance of the area and amenity of neighbouring occupiers is considered to be acceptable, and there would be no unacceptable adverse impact on highway safety. It is, therefore, recommended that the application be approved subject to conditions.

RELEVANT HISTORY OF THE SITE

- Ref:** 5/1/01355 **Decision:** PERFPP **Decision Date:** 2 January 1960
Description: Flat wall sign
- Ref:** 75/00974/ADV **Decision:** PERADV **Decision Date:** 9 February 1976
Description: Fascia Board and Trade Mark Advertisement located on New Storage Building
- Ref:** 76/00032/FUL **Decision:** PERFPP **Decision Date:** 9 February 1976
Description: New entrance and Cold Store
- Ref:** 76/00382/ADV **Decision:** PERADV **Decision Date:** 7 December 1976
Description: Illuminated sign
- Ref:** 76/00936/FUL **Decision:** PERFPP **Decision Date:** 4 January 1977
Description: Amended position of refrigeration rooms
- Ref:** 79/00670/FUL **Decision:** PERFPP **Decision Date:** 12 September 1979
Description: Change of use of hatchery to meat packaging and cutting building
- Ref:** 80/00046/FUL **Decision:** PERFPP **Decision Date:** 9 April 1980
Description: To retain permitted use of Maple Leaf Hatcheries as a meat packaging and cutting building without complying to Condition 2 of Planning Permission 9/79/670 and to remove that condition
- Ref:** 80/00374/FUL **Decision:** PERFPP **Decision Date:** 28 April 1980
Description: Extension to loading bay enclosing existing refrigerator stores and providing open bin stores
- Ref:** 80/00391/FUL **Decision:** PERFPP **Decision Date:** 9 June 1980
Description: a) New vehicular crossing, car park and landscaping. b) Alterations to existing crossing

Ref: 82/00116/FUL **Decision:** REFFPP **Decision Date:** 24 November 1983
Description: Change of use of the former hatchery building to a home improvement/DIY shop

Ref: 86/00201/FUL **Decision:** REFFPP **Decision Date:** 19 August 1986
Description: Change of use of former hatchery to provide extension to existing shop and formation of new link

Ref: 86/00642/FUL **Decision:** PERFPP **Decision Date:** 21 October 1986
Description: Change of use of former hatchery building to home improvement/diy shop

Ref: 87/00867/OUT **Decision:** WDN **Decision Date:** 11 January 1988
Description: Outline development of a site of 1.26 hectares with a foodstore of 43,000 sq. ft with appropriate car parking facilities

Ref: 88/00830/ADV **Decision:** PERFPP **Decision Date:** 29 November 1988
Description: Display of Floodlit Fascia and Individual Letter Signs

Ref: 89/01186/FUL **Decision:** PERFPP **Decision Date:** 3 April 1990
Description: Rear and side extensions

Ref: 94/00095/ADV **Decision:** PERADV **Decision Date:** 26 April 1995
Description: Display of two non- illuminated free standing post signs

Ref: 04/00891/OUT **Decision:** PEROPP **Decision Date:** 30 September 2004
Description: Outline application for the demolition of an existing warehouse and the erection of an extension to the existing store

Ref: 00/00980/FUL **Decision:** PERFPP **Decision Date:** 14 February 2001
Description: Extension to link two buildings, front extensions and alterations to elevations and roof

Ref: 01/00573/ADV **Decision:** PERADV **Decision Date:** 29 August 2001
Description: Display of non-illuminated sign

Ref: 02/00993/FUL **Decision:** PERFPP **Decision Date:** 3 December 2002
Description: Formation of entrance canopy to existing front entrance

Ref: 05/00125/REM **Decision:** PERRES **Decision Date:** 4 April 2005
Description: Erection of single storey extension to rear to provide 600sqm of retail accommodation for display and storage of goods following demolition of existing detached warehouse

Ref: 09/00766/FUL **Decision:** PERFPP **Decision Date:** 25 November 2009
Description: Extension to north elevation of existing furniture showroom

Ref: 11/00079/HDG **Decision:** WDN **Decision Date:** 14 February 2011
Description: Removal of hedgerow

Ref: 12/00959/FUL **Decision:** PERFPP **Decision Date:** 16 November 2012
Description: Section 73 application to extend the time limit for implementation of planning permission ref: 09/00766/FUL (which was for extension to north elevation of existing furniture showroom)

Ref: 12/01213/FUL **Decision:** PERFPP **Decision Date:** 8 February 2013
Description: Erection of extension to rear (east) of existing furniture showroom and ground remodelling

Ref: 13/00526/TPO **Decision:** PERTRE **Decision Date:** 24 July 2013
Description: Crown lift by 3 metres Beech trees within G1, remove an Ash tree T1 and remove Beech tree T2 within Chorley Borough TPO No. 3 1977

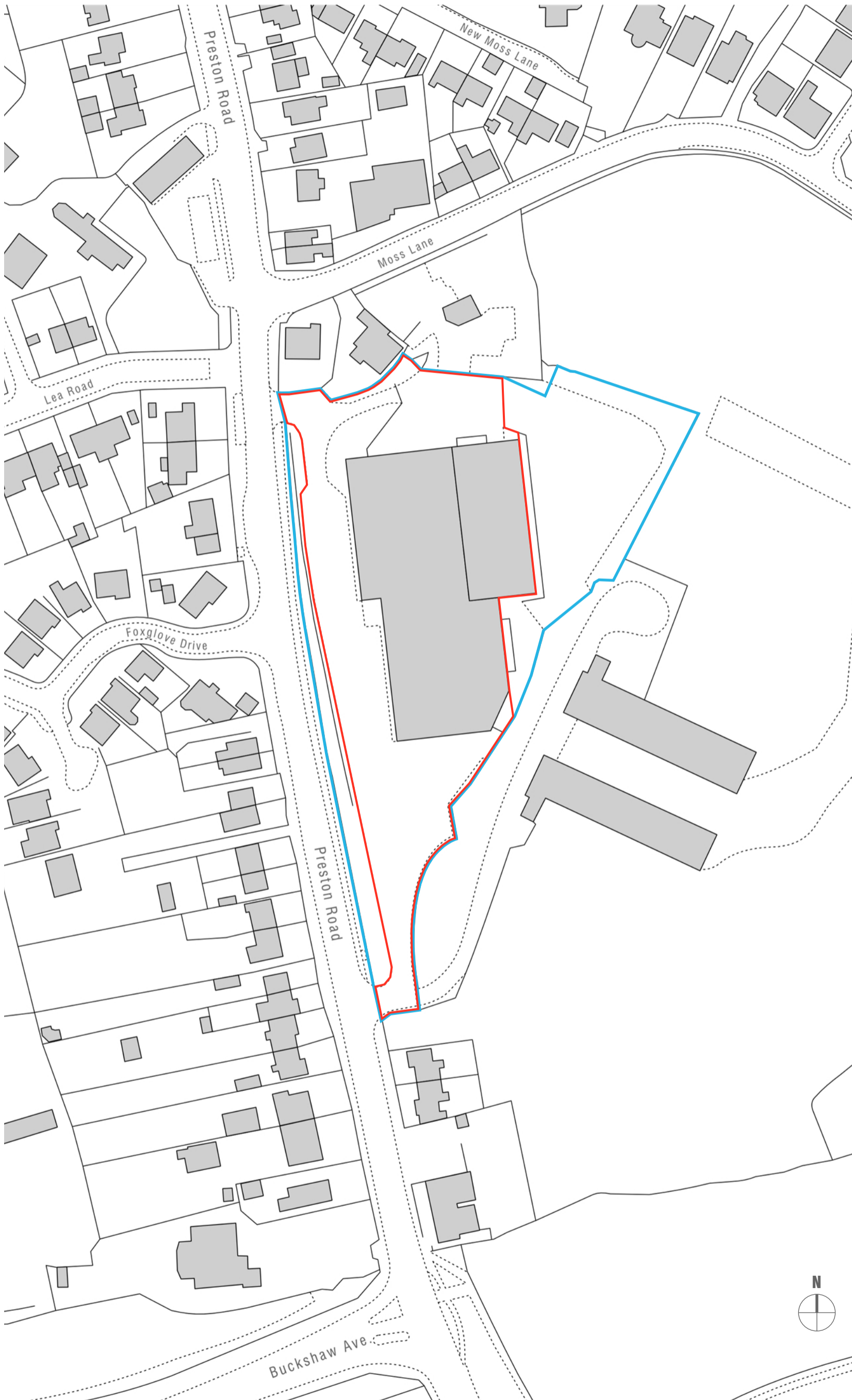
RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless 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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This drawing is to be read in conjunction with all relevant consultants' and specialists' drawings. The Architect is to be notified of any discrepancies before proceeding. Do not scale from this drawing. All dimensions are to be checked on site. This drawing is subject to copyright.



01	JW	JP	Revised red line boundary	2021 11 09
no.	by	chk.	revision	date

client
Doorway To Value
Quality Furniture

project	Doorway To Value Extension To South			
by	chk.	date	scale	sheet size
JW	JP	2021 09 23	1:1250	A3
title	Location Plan			

status	job no. / dep. no.	revision
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Report of	Meeting	Date
Director of Planning and Development	Planning Committee	1 March 2022

PLANNING APPEALS AND DECISIONS RECEIVED BETWEEN 26 JANUARY 2022 AND 21 FEBRUARY 2022

PLANNING APPEALS LODGED AND VALIDATED

Local Planning Authority Reference: 21/01087/CLPUD - Inspectorate Reference: APP/D2320/X/22/3292295

Appeal by Mr Phil Taylor against the delegated decision to refuse an application for a certificate of lawfulness for a proposed detached garage (following demolition of existing shed).

4 Brook Villas, Smithy Lane, Mawdesley, Ormskirk, L40 2QG.

Inspectorate letter confirming appeal valid received 8 February 2022.

PLANNING APPEAL DECISIONS

Local Planning Authority Reference: 20/01399/OUTMAJ - Inspectorate Reference: APP/D2320/W/21/3275691

Appeal by Lea Hough and Co LLP against the Planning Committee decision to refuse outline planning application for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping, and vehicular access points from Grange Drive. All matters reserved save for access.

Land Adjacent Blainscough Hall, Blainscough Lane, Coppull, PR7 5FG.

Appeal allowed 3 February 2022.

Local Planning Authority Reference: 20/01331/OUTMAJ - Inspectorate Reference: APP/D2320/W/21/3272310

Appeal by Redrow Homes Ltd against the non-determination of an outline planning application for the construction of up to 80 dwellings (including 30% affordable housing) and associated infrastructure, with all matters reserved (aside from vehicular access from Doctors Lane).

Land At Tincklers Lane, Tincklers Lane, Ecclestone.

Appeal allowed 18 February 2022.

Local Planning Authority Reference: 20/01347/OUTMAJ - Inspectorate Reference: APP/D2320/W/21/3272314

Appeal by Redrow Homes Ltd against the non-determination of an outline planning application for the construction of up to 250 dwellings and associated infrastructure (including 30% affordable housing) with all matters reserved aside from the access from Town Lane.

Land North Of Town Lane, Whittle-le-Woods.

Appeal dismissed 18 February 2022.

PLANNING APPEALS WITHDRAWN

None

ENFORCEMENT APPEALS LODGED

None

ENFORCEMENT APPEAL DECISIONS

None

ENFORCEMENT APPEALS WITHDRAWN

None

Report Author	Ext	Date	Doc ID
Adele Hayes	5228	21 February 2022	***