

Planning Committee

Tuesday, 12th July 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 nine 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	
	3b) 22/00266/FUL - 122 Chapel Lane, Coppull, Chorley	(Pages 3 - 12)
	3c) 21/01329/FUL - Wise Marys Farm, 263 Hoghton Lane, Hoghton, Preston	(Pages 13 - 24)
	3d) 21/00232/OUT - Land West Of 1 The Owls, Blue Stone Lane, Mawdesley	(Pages 25 - 36)
	3e) 21/00966/FULMAJ - Rectory Field, School Lane, Mawdesley, Ormskirk, L40 3TG	
	This item has been withdrawn from the agenda.	
	3g) 21/01247/FUL - Lower House Fold Farm, Trigg Lane, Heapey, Chorley, PR6 9BZ	(Pages 37 - 50)
	3h) 22/00402/REMAJ - The Strawberry Fields Digital Hub, Euxton Lane, Chorley, PR7 1PS	(Pages 51 - 64)
	3i) 21/00935/FUL - 1 Bracken Close	(Pages 65 - 70)
	3j) 22/00414/FUL - Land opposite 37 Preston Road Coppull	(Pages 71 - 78)

Gary Hall
Chief Executive

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APPLICATION REPORT – 22/00266/FUL

Validation Date: 30 March 2022

Ward: Coppull

Type of Application: Full Planning

Proposal: Erection of 4no. dwellings following demolition of existing dwelling and outbuildings

Location: 122 Chapel Lane Coppull Chorley PR7 4PN

Case Officer: Mr Iain Crossland

Applicant: Mr A Banks, AB Developments & Construction Ltd

Agent: Mr Andrew Chapman, Synergy Design Concepts Ltd

Consultation expiry: 9 June 2022

Decision due by: 25 May 2022

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions and a S106 agreement.

SITE DESCRIPTION

2. The application site is located in the settlement area of Coppull and forms a corner plot between Lancaster Street and Chapel Lane. It is occupied by a bungalow of traditional design and two outbuildings set within a particularly sizeable garden curtilage. The locality is predominantly residential in nature with a mixture of design styles and era's in evidence. There are currently two vehicular access points from Chapel Lane into the site, whilst there is also access from Lancaster Street. There is a change in levels across the site with the land sloping from Chapel Lane down towards Hurst Brook.
3. It is noted that outline planning permission for four dwellings was granted approved in July 2017, but that this permission has since lapsed.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks full planning permission for the erection of four dwellings following the demolition of the existing dwelling and outbuildings. The proposed dwellings would be of a traditional form with contemporary features and would include attached garages and driveway parking to the frontages with garden areas to the front and rear. Three of the dwellings would face onto Chapel Lane, whilst one dwelling would face onto Lancaster Street.

REPRESENTATIONS

5. Representations in objection have been received from no.10 individuals raising the following issues:
 - Impact on highway safety and existing highway concerns
 - Loss of privacy

- Loss of outlook
- Loss of light and overshadowing
- Impact on surface water drainage
- Out of character with surrounding development
- Overdevelopment of the site
- The site is only suitable for one dwelling

CONSULTATIONS

6. Coppull Parish Council: have commented that The proposed development appears to be excessive for the site. In particular, plots 2 and 3 appear to be overdevelopment that would result in insufficient "garden" area that is not covered by either buildings or hard surfacing. In addition, the construction of 3-storey dwellings on an already elevated site raises concerns over a loss of privacy for the neighbouring properties.
7. Greater Manchester Ecology Unit: Have no objection subject to conditions.
8. Waste & Contaminated Land: Have no comments to make.
9. Lancashire County Council Highway Services: Have no objection subject to conditions.
10. United Utilities: Have no objection subject to condition.

PLANNING CONSIDERATIONS

Principle of development

11. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. The site is located in a sustainable location with access to public transport and local amenities such as shops, schools, community centre facilities, churches, sports and leisure facilities, employment sites and public houses, and the means to access other nearby amenities relatively easily.
12. Policy 1(d) of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in Urban Local Service Centres to help meet housing and employment needs. Coppull is identified as one of the Urban Local Service Centres and therefore the proposed development is in line with this policy.
13. The current use of the site is as a dwellinghouse and associated garden and outbuildings. As such the development of the site should be considered in relation to policy HS3 of the Chorley Local Plan 2012 – 2026. This states that development within private residential gardens on sites not allocated for housing will only be permitted for:
 - (a) *appropriately designed and located replacement dwellings where there is no more than one for one replacement.*
 - (b) *the conversion and extension of domestic buildings.*
 - (c) *infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.*
14. The proposed development does not specifically comply with criteria (a) or (b) due to the nature of what is proposed. With regards to criteria (c), the site does form a gap in the pattern of development along Chapel Lane and at the eastern end of Lancaster Street, and is within a built up area of urban character, comprising residential housing estates and more traditional linear development. The application site includes an unusually large garden area, the appearance of which is somewhat anomalous in the context of the present surroundings. As such it represents an opportunity for infill development within the settlement.

15. Paragraph 5.27 of the preamble to Policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development with surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The preamble also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.
16. It is noted that there are a range of dwelling types and styles in the locality from different time periods, including detached, semi-detached and terraced housing in characterful traditional forms and of more simple modern designs. There is also a range of housing densities in evidence, although a lower density suburban form has become prevalent. The proposed development comprises 4no. detached dwellings of traditional form with some contemporary features. The layout is such that it reflects the siting and scale of other properties along Chapel Lane and Lancaster Street with three facing onto Chapel Lane and one facing onto Lancaster Street. This would respect the current street patterns and would be a logical response in the context of the area. Whilst the scale of the proposed dwellings would be slightly taller than those nearest to the site they would not appear discordant given the changes in levels along Chapel Lane and given the range of dwellings types around the site. At a density of 20 dwellings per hectare the density of the proposed scheme would be low and consistent with the character of the area, whilst the dwelling to plot ratio would provide larger garden areas than some other nearby properties and is largely reflective of local character. At present the site has an unusually large garden, which is not reflective of local character, and its preservation would be of no particular value to the distinctiveness of the area. On this basis the proposed development would not be harmful to the character of the area.
17. Policy HS3 includes the additional sustainability criteria detailed above, and in terms of this issue there are factors which weigh in favour of the proposal. The site is located in the settlement area of Coppull with a good level of accessibility to shops, schools and other services and amenities, public transport and local employment opportunities as set out above.
18. The proposed development would not be contrary to the objectives that policy HS3 has been designed to achieve, which has been accepted under the approval of the previous outline planning permission 17/00529/OUT. On this basis the principle of the development is considered to be acceptable, subject to other material planning considerations.

Impact on character and appearance of the locality

19. The proposed development comprises four dwellings to be located on the site and garden of no.122 Chapel Lane following the demolition of the existing dwelling and outbuildings. The proposed site plan identifies that the dwellings would be arranged and positioned so that there would be one detached dwelling facing Lancaster Street and three detached dwellings facing Chapel Lane, each with individual vehicular access to the highway. This would be reflective of the current pattern of development in the area and it is considered that this would have a positive impact in terms of creating an active street frontage and contributing to the character of the area.
20. The existing dwelling on the site is a bungalow of traditional design style faced in white render, with an unusually large garden. The dwelling and garden are not consistent with other properties in the area, which has evolved over the years to include significant number of detached and semi-detached dwellings of modern design style. The associated outbuildings are functional in appearance and of no architectural merit.
21. The proposed dwellings would be of a traditional form with some contemporary features. They would be slightly taller than those nearest to the site, however, they would not appear discordant given the changes in levels along Chapel Lane and given the range of dwellings types around the site. At a density of 20 dwellings per hectare the density of the proposed scheme would be low and consistent with the character of the area, whilst the dwelling to plot ratio would provide larger garden areas than some other nearby properties and is largely reflective of local character.

22. The proposed dwellings would add to the mixture of design styles in the locality, whilst the use of appropriate materials would help to generate some consistency in relation to local character. No landscaping or boundary scheme is included at this stage, however, this would form an important component as regards the details of the eventual appearance of the development. Overall, it is considered that the proposed development would have no severely detrimental impact on the character of the area.

Impact on neighbour amenity

23. The application site is bound by dwellings to the south and west. The dwelling to the west at no.56 Lancaster Street is immediately adjacent to the site and the dwelling at plot 1 would be positioned immediately adjacent to and in line with no.56 Lancaster Street. As such it would not be particularly visible from any windows to habitable rooms at this dwelling and would occupy a similar position to an outbuilding in this position. It is noted that there is a small conservatory attached to the rear of no.56 Lancaster Street. The dwelling proposed at plot 1 would have some impact on light in relation to this conservatory, particularly in the mornings. However, given the current impact of the existing outbuilding and the position to the east it is not considered that the impact would be unacceptably harmful.
24. Dwellinghouses at nos. 1 to 6 Hurst Brook bound the site to the south. These already face the domestic garden to no.122 Chapel Lane. The dwelling at plot 1 would be located some 16m from the garden boundary with 6 Hurst Brook and approximately 25m from the property itself. As such there would be an acceptable relationship in line with the Council's interface guidelines.
25. Plot 4 would have a side elevation facing the rear of nos.2, 3 and 4 Hurst Brook, and would share a garden boundary with numbers nos.1 to 5 Hurst Brook. The dwelling at 1 Hurst Brook would not directly face the side of the dwelling at plot 4 although it would be visible from within the garden and property. The impact on outlook in relation to this dwelling would not be unacceptably adverse and would retain a good degree of openness.
26. The proposed dwelling at plot 4 would be positioned approximately 12m to the north of the dwelling at no.2 Hurst Brook at its closest point and 6m from the garden and would be positioned at a higher land level. Although there would be no impact on direct light due to the relative positioning there would be some impact on outlook as the property would be visible, particularly given the difference in land level with plot 4 positioned at a relatively higher level. Views would be towards the front of the dwelling, which includes a side element that is lower in height and set back from the front. This reduces the massing of the building and reduces any overbearing effect to an acceptable degree. Although it is recognised that the impact on outlook relative to the currently open garden area is clearly greater it is not considered to result in a harmful relationship by virtue of the degree of separation in spite of the difference in levels.
27. There would be no windows in the side elevation of the dwelling at plot 4 facing 2 Hurst Brook, however, it is noted that the retaining structure that would be created to the front and side to create a development platform would result in a raised driveway and parking area relative to the properties at Hurst Brook. It is considered that the inclusion of a solid form of boundary treatment along the edge of the retaining structure for its entire length would protect the privacy of the occupiers of Hurst Brook without compromising outlook to any greater extent than the proposed dwelling, and given the degree of separation from the properties and gardens at nos. 1 to 4 Hurst Brook would have no unacceptably detrimental impact on the outlook of the occupiers of these properties. It is recommended that appropriate boundary treatment be secured by condition.
28. The properties at nos.3 and 4 Hurst Brook have longer rear gardens than those at 1 and 2 and are, therefore, positioned further from the side elevation of the proposed dwelling at plot 4, although the proposed dwelling would be sited at a higher level. No.3 Hurst Brook would be located approximately 15m from the side elevation of plot 4 at its nearest point, and would have a garden boundary approximately 4m from the proposed dwelling. This is considered to be an adequate degree of separation such that there would be no unacceptable detrimental impact on outlook through overbearing. Again it is recognised that

the impact on outlook relative to the currently open garden area is clearly greater, however, it is not considered to result in a harmful relationship by virtue of the degree of separation, and is a typical relationship of residential areas.

29. No.4 Hurst Brook would face a single storey element to plot 4 and is, therefore, impacted upon less than no.3 Hurst Brook. This dwelling would be located approximately 16m from the side elevation of plot 4 at its nearest point, and would have a garden boundary approximately 5m from the rear garden boundary. This is considered to be an adequate degree of separation such that there would be no unacceptable detrimental impact on outlook through overbearing, particularly given the scale of this element of the proposed building.
30. There is a dwelling at no.1 Goose Green Avenue that would be approximately 11m from the application site. The proposed dwellings at plots 2, 3 and 4 would face the garden and side elevation of this property. The relative siting and degree of separation is such that there would be no unacceptable impacts on the amenity of the occupiers of this dwelling.
31. Overall, it is considered that the proposed development would result in no unacceptable detrimental impacts on the amenity of the occupiers of nearby neighbouring properties, and complies with the provisions of policy BNE1 of the Chorley Local Plan 2012 – 2026.

Highway safety

32. The proposed development involves demolition of the existing buildings on site and its redevelopment with 4no. detached houses, one with access to Lancaster Street and three with access to Chapel Lane.
33. Both Chapel Lane and Lancaster Street are secondary distributor roads with residential frontages and the site currently has two vehicle accesses to Chapel Lane. Although the section of Chapel Lane fronting the site is curved, as highlighted by some of the representations received, visibility appears good. Furthermore, these sections of Chapel Lane and Lancaster Street are currently subject to 20mph speed limit restriction.
34. As such Lancashire County Council, as the highway authority, does not have any objections regarding the proposed erection of 4 no. dwellings following demolition of existing dwelling and outbuildings and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
35. In terms of the parking requirement, off-street car parking would be provided in accordance with the current Chorley Council parking standards set out in Appendix A of the Chorley Local Plan 2012 - 2026, which requires two parking spaces per three bedroomed dwelling and three parking spaces per four or more bedroomed dwelling.

Ecology

36. The site is occupied by several buildings set within managed grassland. A bat survey has been carried out and submitted in support of the proposed development. The survey found no evidence of bats during the inspection of the building and no bats were found emerging from the building during the activity survey. The report has been reviewed and verified by the Council's ecology advisors the Greater Manchester Ecology Unit (GMEU), who agreed that an appropriate level of assessment has been carried out and accept the findings of the report.

Flood risk and drainage

37. 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 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.

38. 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.
39. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that includes details of an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.

Sustainability

40. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However 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.”

As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Public open space (POS)

41. 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.
42. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states 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.
43. In the determination of planning applications, the effect of the national policy is that although 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 as compared with the new national policy.
44. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only

seek contributions towards provision for children/young people on developments of 10 dwellings or less.

45. There is currently a surplus of provision in Coppull in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the ward is, therefore, not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) (sites 1369.1 Hurst Brook Play Area, Coppull; 1363.1 Play area adjacent 105 Longfield Avenue, Coppull; 1373.1 Byron Crescent Play Area, Coppull; 1373.2 Byron Crescent MUGA, Coppull). A contribution towards improvements to these sites is, therefore, required from this development. The amount required is £134 per dwelling.

Community Infrastructure Levy

46. 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

47. The proposed development is considered to be acceptable in principle and would be compatible with the pattern and character of development in the area. There would be no unacceptable impact on the amenity of nearby residential occupiers and it would not give rise to undue harm to ecology, drainage or highway safety. It is, therefore, recommended that planning permission be granted subject to conditions and a s106 agreement.

RELEVANT HISTORY OF THE SITE

Ref: 80/00714/FUL **Decision:** PERFPP **Decision Date:** 10 September 1980
Description: Garage for caravan and car

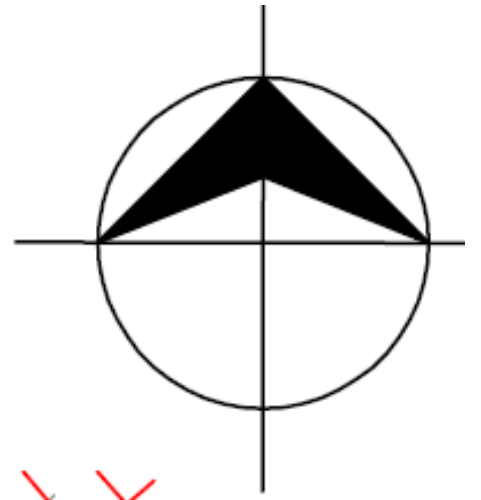
Ref: 17/00529/OUT **Decision:** PEROPP **Decision Date:** 19 July 2017
Description: Outline application for up to 4 dwellings following demolition of existing dwelling and outbuildings (with all matters reserved)

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 – 21/01329/FUL

Validation Date: 15 November 2021

Ward: Clayton East, Brindle And Hoghton

Type of Application: Full Planning

Proposal: Application for technical details consent for the demolition of existing buildings and erection of four dwelling houses and associated development pursuant to permission in principle 20/01048/PIP

Location: Wise Marys Farm 263 Hoghton Lane Hoghton Preston PR5 0JD

Case Officer: Mr Iain Crossland

Applicant: Mr Colin Cadwallader, Abbie Homes Ltd

Agent: Mr Craig Buck, The Intelligent Design Centre

Consultation expiry: 4 March 2022

Decision due by: 15 July 2022 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site comprises a motor vehicle repair workshop and a residential dwelling in the settlement area of Hoghton, close to the administrative border of Chorley and South Ribble. The site is irregular in shape, extending to approximately 0.2 hectares and includes a two storey elongated brick building that is sited at an angle with the main carriageway. This building contains the workshop and residential dwelling. To the immediate east of the main building is a single storey garage and yard area, which also forms part of the vehicle repair operation. The land to the north and west of the site appears to be more domestic in nature. The site is contained as a whole by a variety of boundary treatments including hedgerows and trees, together with a low stone wall on the carriageway boundary. The site is currently served from an existing vehicular access off Hoghton Lane to the immediate east of the application site.
3. The character of the area is that of a rural village with mainly linear development surrounded by open agricultural land, whilst the site itself is located between dwellings within a ribbon of residential development.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks technical details consent for the demolition of existing buildings and erection of four detached dwellinghouses and associated development pursuant to permission in principle ref: 20/01048/PIP.
5. The proposed dwellings would be of a traditional design style with some contemporary features and would be faced in stone to the front elevations. All four dwellings would be arranged to face the highway at Hoghton Lane and there would be a single access to serve all four dwellings, following significant amendments to the design and layout of the scheme

that have been negotiated and agreed through the process. An existing field access to the east side of the site would be retained.

REPRESENTATIONS

6. Representations in objection have been received from the occupiers of 9no. addresses. These raise the following issues:
- Loss of a heritage asset
 - Impact on the character of the locality as proposed dwellings not in keeping
 - Intensification of development
 - Loss of privacy to neighbouring occupiers
 - Loss of light to neighbouring occupiers
 - Increased traffic movements and impact on highway safety
 - Concern over separate accesses to dwellings
 - Lack of parking
 - Bats are present in the vicinity of the site
 - Surface water run off causing flooding to nearby properties
 - The area is not identified for growth in the Local Plan and the scheme would be of no benefit to the area
 - The site is not in any agricultural use and the vehicle repair shop is not in commercial use but is a private concern, therefore the site is not brownfield
 - Impact on access arrangements to land at the rear

CONSULTATIONS

7. Houghton Parish Council: Have commented that they support the views of local residents as set out below:

Application for technical details consent for the demolition of existing buildings and erection of four dwelling houses and associated development pursuant to permission in principle 20/01048/PIP

Dear neighbour,

You will have received a letter from Chorley Council about the above notification. I have 3 main concerns which I would like to share with you and have attached a copy of the proposed site plan to explain these issues.

Instead of one access onto Houghton Lane there will now be five. The visibility splay looks ok on the plan but in effect it will be diminished with cars parking on their drives, waiting to turn out, or even deliveries or visitors parking on the pavement. Vehicles parked outside 261 are a good current example. Also, vehicles turning right into their drives from the opposite carriageway will cause a similar problem to our own access road.

The new access road to the rear fields. This is 5.5metres wide, with a grass verge on the right hand side. This seems excessive for agricultural access to a 3 metre wide field gate. It is not stated who will maintain the road surface or the grass verge and if there will be a gated and locked entry as there is at present. This may not be too much of an issue now but pave over the grass verge, install a road surface and there`s the access to a potential housing development at the rear.

The 4 detached houses. These are two and a half storey 5 bedroom houses. Not particularly in keeping with the adjacent properties and adding considerably to the traffic and footfall in the immediate vicinity.

When Planning in Principle was granted in October last year it was considered that it was possible to accommodate 4 dwellings on the site in consideration of the character of the area and the impact on neighbour amenity. That is four dwellings across the frontage and involve semi-detached or terraced dwellings with adequate off street parking.

8. Lancashire County Council Archaeology Service: Have no objection subject to a condition.
9. Greater Manchester Ecology Unit: Have no objection subject to conditions.
10. Waste & Contaminated Land: Have no comments to make.
11. Lancashire County Council Highway Services: Have indicated that the development is acceptable subject to amendments to the access. These have been provided and the final response of LCC Highway Services is to follow.
12. United Utilities: Conditions recommended as the applicant has not demonstrated robust evidence that the drainage hierarchy has been thoroughly investigated and the proposals are not, therefore, in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems.

PLANNING CONSIDERATIONS

Principle of development

13. The acceptability of the principle of residential development for up to four dwellinghouses on the site has been established through the grant of permission in principle 20/01048/PIP.

Impact on character and appearance of locality

14. The application site is located on a parcel of land between dwellings and with a frontage along Hoghton Lane. As such the site is prominent from the public highway. There is currently an historic building on the site that is positioned at an angle relative to the highway, with a further building set back some distance from the highway facing the vehicular access point. This results in a quirky site layout that is characterful through its difference and distinctiveness, though does not reflect the linear pattern of development that has evolved along Hoghton Lane, and disrupts the general building line that does exist.
15. The proposed development comprises four detached dwellings of a relatively traditional design style that would incorporate some more contemporary features, mainly restricted to the rear window openings and balconies. There would be front gable features, front canopies and defined heads and cills, whilst the dwellings would be faced in sandstone to the front. These features would add some degree of interest and distinctiveness to the development, whilst the use of stone would reflect building materials common to the area. It is, however, recognised that there are examples of both sandstone and red brick buildings along Hoghton Lane, whilst there are rendered properties further to the east on Quaker Brook Lane reflecting a range of design styles.
16. The design of existing dwellings along Hoghton Lane varies quite significantly with stone cottages to the west and more suburban style interwar era red brick housing beyond. To the west is a more recent dwelling of traditional red brick, with Edwardian red brick properties beyond giving way to stone cottages. These display a range of materials, building heights and differences in position relative to the highway, although all face onto the highway.
17. The proposed dwellings would be set back within the site, thereby enabling off street parking and manoeuvring, and would be more in line with dwellings at 243 to 247 Hoghton Lane to the west. They would face the highway resulting in an active street frontage and given the random positioning of the existing development on the site would represent an appropriate siting in this context. This arrangement has been altered from the original proposal whereby one of the dwellings would have been situated to the rear of 251 Hoghton Lane. It is noted that the existing low stone wall to the frontage would be retained where possible, which would be a positive aspect of the development and would help to retain a degree of character.
18. The scale of the proposed dwellings would be similar to that of the Edwardian properties along the lane. The eaves heights would not be dissimilar to that of the neighbouring properties, whilst the ridge heights would be slightly taller. Given the degree of set back within the site the scale of the proposed dwellings would be acceptable without causing

significant harm to the appearance of the streetscene. The dwelling types themselves would add a new design style to an already eclectic frontage along Hoghton Lane, however, the use of sandstone and a simple traditional design style would help to harmonise the development to some extent within its locality.

19. There would be a suitable dwelling to plot ratio similar to that of nearby properties. On the basis of the above, the proposed development is appropriate in the context of the site and surrounding development and would not be significantly detrimental to the character of the locality given the design and positioning of the dwellings. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Impact on neighbour amenity

20. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
21. There are no existing dwellings to the front and rear of the site, however, there are dwellings to each side to the east and west. The dwelling to the west side at no.251 Hoghton Lane would be nearest to the proposed dwellings, with the dwelling at plot 1 positioned approximately 1m from the common boundary with no.251 Hoghton Lane and approximately 5m from the dwellinghouse itself. Plot 1 would be set back from the frontage of this dwelling such that it would extend beyond the rear elevation of no.251 Hoghton Lane. Although the side elevation of plot 1 would be visible from the windows in the rear elevation of the dwelling at no.251 Hoghton Lane and the associated garden area, the impact on outlook would not be unacceptably harmful given the degree of separation from those windows. Due to this positioning the development would result in some loss of light to the rear garden and rear of the dwelling in the mornings, however, such an impact would not be unacceptably harmful to the amenity of the occupiers.
22. There would be no windows serving habitable rooms in the side elevations of the proposed dwellings, whilst the rear balcony to plot 1 would incorporate a 1.8m high privacy screen to the west side. In addition to this, suitable boundary treatment would be required by condition and would need to provide an adequate level of privacy between plots and neighbouring properties. On this basis, there would be no unacceptable impacts on the privacy of the occupiers of no.251 Hoghton Lane and overall, it is considered that an acceptable level of amenity would be retained.
23. The dwelling to the east side of the site at no.281 Hoghton Lane is located approximately 2m from the site boundary and would be approximately 14m from the proposed dwelling at plot 4. It is noted that there are windows to habitable rooms in the side elevation of no.281 Hoghton Lane that would directly face the side elevation of plot 4. The degree of separation is, however, acceptable and in line with the Council's interface guidelines. The positioning and degree of separation are such that there would be no unacceptable impacts on light or outlook, whilst there would be no impact on privacy as there would be no windows to habitable rooms in the side elevations of plot 4. It is noted that at the request of the occupier of no.281 Hoghton Lane, the applicant has agreed to incorporate a 1.8m high privacy screen to the east side of the balcony that faces towards this neighbouring property. On this basis, there would be no unacceptable impacts on the privacy of the occupiers of no.281 Hoghton Lane and overall, it is considered that an acceptable level of amenity would be retained.
24. It is not considered that there would be any detrimental impact on the occupiers of any other nearby residential dwellings, which are further distant from the site. The development, therefore, is considered to comply with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Highway safety

25. Based on the car parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and appendix A, it is clear from the proposed layout that off-road parking provision for at least three vehicles can be achieved in line with the Council's adopted standard. LCC Highway Services have assessed the proposal and considered that a single point of access, rather than multiple access points to each property should be provided. In response the

layout and access has been amended to provide a single access in line with the requirements of LCC Highway Services. Although the retained field access was requested to be straightened this reflects the existing arrangement and has been retained in relation to historic rights of access, as opposed to serving any particular operational requirement. LCC Highway Services have indicated that the amended access is acceptable, and their final formal comments will be reported on the Addendum prior to the Committee meeting.

Impact on non-designated heritage asset

26. A heritage statement has been submitted in support of the application in relation to the existing building on the application site, which is not listed but has been in existence for a significant period of time and is of local interest. This has been provided by Stephen Haigh (Building Archaeologist) dated October 2021 and assessed by the Council's heritage advisors.
27. Wise Mary's Farm is described in the Heritage Statement as a former farmhouse and attached barn, which likely dates from the mid to late C18. However, it does not appear to have been constructed in one single phase and like so many rural buildings has been extended and altered throughout its history.
28. The property is constructed from brick, with some stone dressing, with a grey slate roof covering and has in part rendered and painted elevations. It is angled away from the road with the house element at the rear and an open service yard to the side. It is noted that the character of the area is defined by sporadic, linear residential development being a mix of traditional stone cottages and later brick houses, including late C19 brick semis.
29. For the purposes of this assessment the current building is regarded as being of some heritage value and as such could be regarded as being a non-designated heritage asset (NDHA) by the Local Planning Authority (LPA).
30. In determining planning applications LPA's should take account of;
 - a. The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b. The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c. The desirability of new development making a positive contribution to local character and distinctiveness.
31. Paragraph 203 of the National Planning Policy Framework (The Framework) states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
32. In terms of the development plan policies Chorley Local Plan 2012-26 – Policy BNE 8 Protection and Enhancement of Heritage Assets and Central Lancashire Core Strategy – Policy 16 Heritage Assets are of relevance.
33. The key heritage issue for the LPA to consider is:

Whether the proposed development will result in any undue loss of heritage significance with the proposed demolition of the non-designated heritage asset (NDHA).
34. Non-designated heritage assets are identified as being buildings, monuments, sites, places, areas or landscapes identified by plan-making bodies as having a degree of heritage significance meriting consideration in planning decisions but which do not meet the criteria for designated heritage assets.
35. The Statement of Significance (SoS) identifies the linear farmstead as being mid C18. However, the built form has seen numerous alterations, including internally, which has

resulted in the original farmhouse losing its integrity. It is noted, from the photographs, that a substantial part of the original roof has survived the changes.

36. In this context, and from the evidence provided, it is clear that whilst the property should be regarded as being a NDHA it should be regarded as only having low value/significance. In this respect the conclusions in the submitted Heritage Statement that the coherence of the property has been degraded and that it should be regarded as being of local interest only are valid.
37. In this respect it is considered that the requirements under Paragraph 194 of the Framework have been met as the level of detail provided is sufficient to understand the potential loss of significance.
38. It is important to stress that in the national context as a NDHA, the building should only be afforded low weight in the LPA decision. Non-designated buildings cannot be assessed in the same way as for designated buildings/sites, which are afforded statutory protection under the P(LBCA) Act. The assessment under Paragraph 203 of the Framework requires the LPA to take a balanced judgement having regard to the scale of harm and the significance of the asset.
39. Paragraph 203 of the Framework states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining any application. In this instance as the proposal involves total demolition of the NDHA, the loss of significance should be considered to being low.
40. Whilst unlikely, the low level of loss of significance could be simply mitigated by seeking to renovate and retain the existing building, however, this could not be insisted upon given the low value / significance of the building, despite this being a desirable alternative. Furthermore, the viability of retention has not been explored and may be a factor.
41. As Paragraph 197 of the Framework still requires LPA's to consider the desirability of sustaining the significance of heritage assets (whether they are designated or not) the low level of harm must be given weight in the planning decision (as per P.203). If that balance can be achieved then the proposal would meet the requirements of Chapter 16 of the Framework and the Local Plan.
42. In this instance the low level harm resulting from the loss of a building of low value/significance is not considered to outweigh the provision of four dwellings in a part of the Borough where new housing provision is constrained by Green Belt and other policy designations. It is recommended that a recording condition should be applied to any grant of planning permission.

Ecology

43. The developer's ecological consultant identified no significant ecological issues, which has been considered and assessed by the Council's ecology advisors the Greater Manchester Ecology Unit (GMEU). It is considered that issues relating to nesting birds, invasive species and biodiversity enhancement measures can be resolved via condition and or informatives.
44. The initial ecology survey identified that the building had low level potential to support roosting bats. Despite the potential being low the possibility could not be discounted without a further emergence survey being carried out. A bat activity survey was subsequently carried out and the results provided to the Council and GMEU. This survey found no bats emerging from any of the potential roosting features and concluded that the works can go ahead. The findings are accepted and the potential for significant effects on any such species can, therefore, be reasonably discounted.
45. The survey did find evidence of bat foraging at the site and makes recommendations relating to any new lighting on the site. It is, therefore, recommended that a condition be attached to any permission to ensure that a lighting design strategy for biodiversity for areas to be lit shall be submitted to and approved in writing by the Local Planning Authority.

46. The original draft Preliminary Ecological Appraisal identified that the site may be used by nesting birds. As all British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended as a precaution it is recommended that a condition be attached to any grant of planning permission preventing works to trees or shrubs between 1 March and 31 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.
47. Section 174 of the Framework states that the planning policies and decisions should contribute to and enhance the natural and local environment. The site is generally of low ecological value, however, a scheme to include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the National Planning Policy Framework should be provided and it is recommended that this be secured by condition.

Flood risk and drainage

48. 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 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.
49. 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.
50. The applicant has not demonstrated robust evidence that the drainage hierarchy has been thoroughly investigated at this stage. It is therefore recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that provides an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.

Sustainability

51. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However 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:
52. *“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.”*
53. *“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.”*

54. As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Public open space (POS)

55. 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.
56. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states 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.
57. In the determination of planning applications, the effect of the national policy is that although 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 as compared with the new national policy.
58. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
59. There is currently a deficit of provision in Hoghton in relation to this standard. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified in the settlement and, therefore, no contribution can be sought.

Community Infrastructure Levy

60. 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.

Other matters

61. Impact on rights of access: This is a civil matter that cannot be taken into consideration in the assessment of this application.

CONCLUSION

62. The acceptability of the principle of residential development of the site has already been established through the grant of permission in principle. It is also considered that the proposed development would have no detrimental impact on the character of the area or neighbour amenity and would not give rise to undue harm to heritage assets, ecology, drainage or highway safety.

RELEVANT HISTORY OF THE SITE

Ref: 20/01048/PIP **Decision:** PERPIP **Decision Date:** 27 November 2020
Description: Permission in principle application for the erection of up to four dwellinghouses and associated development

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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Client
Abbie Homes Ltd
 Project
Residential Development
263 Hoghton Lane

Drawing
Location Plan
 Date
 sept 21
 Job No - Dwg No - Rev
21012-LP

Drawn by
 OS map

Scales
1:1250 @ A4



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APPLICATION REPORT – 21/00232/OUT

Validation Date: 26 February 2021

Ward: Croston, Mawdesley And Euxton South

Type of Application: Outline Planning

Proposal: Outline application for the erection of one detached dwelling including details of access and layout, with matters of appearance, landscaping and scale reserved

Location: Land West Of 1The Owls Blue Stone Lane Mawdesley

Case Officer: Mr Iain Crossland

Applicant: Mr Andrew Mawdesley

Agent: Mr Chris Weetman, CW Planning Solutions Ltd

Consultation expiry: 29 April 2021

Decision due by: 15 July 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 at Mawdesley and comprises an open area of grassland, to the south side of Blue Stone Lane between 1 The Owls to the east and three residential properties, Chase Cottage, Monsol and Brook House, to the west. There is a stone wall bounding the site edge with Blue Stone Lane to the north, other than which the site is open.
3. The locality is rural in character beyond the more built up area of ribbon development along Blue Stone Lane that extends to the south west along Dark Lane, Ridley Lane and Bradshaw Lane. The character of the buildings in the locality is mixed with traditional agricultural style buildings and more modern dwellings in evidence close to the site.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. This application seeks outline planning permission for the erection of one detached dwelling including details of access and layout, with matters of appearance, landscaping and scale reserved. Access to the site would be taken from Blue Stone Lane with parking and manoeuvring areas provided within the site. The access arrangements have been amended during the assessment of the application in response to the requirements of the Local Highway Authority and matters raised by local residents concerning sightlines.

REPRESENTATIONS

5. Representations in objection have been received from the occupiers of 7no. addresses. These raise the following issues:
 - Green Belt impact
 - Highway safety concerns to the highway alignment and access details

- Drainage impacts from the introduction of hard surfacing and capacity of the nearby watercourse to accept surface water run off generated
- The local drainage network is at capacity
- Out of keeping with local character
- Lack of on site parking
- Residential amenity impacts through loss of privacy
- Loss of views from nearby properties.
- The dwelling would be within 30m of a public sewer therefore foul drains to a septic tank are not necessary

CONSULTATIONS

6. Mawdesley Parish Council: Have commented that they strongly objects to the planning application and comment that the proposal would be a new dwelling in the Green Belt, which would be inappropriate development and represents an intrusion/encroachment into the countryside which would conflict with one of the main purposes of the Green Belt. Specific comments are as follows:

Non-Compliant with Green belt policy.

The proposed development lies within the green belt. The application does not meet the criteria and tests for development or change of use as noted in the policy:

- (1) The form and design would be materially different from the surrounding buildings and the historic building opposite.

Drainage and Flood Risk.

The application site is in an area of high surface water flood risk. There is an issue of inadequate drainage and the history of flooding of the area the latest being October 2020 when a neighbours garden was under 4ft of water.

In addition, there is an issue with foul water drainage flood water seeps up into the road from the manhole covers

Non-Compliant with Special Landscape Area.

The development affects landscape quality and should not be permitted, with special attention being paid to conserving visual quality, etc. The proposed development fails this test as it would bring substantial change, e.g. the mature hedge and historic dry stone wall. Hedges may support up to 80 per cent of our woodland birds, 50 per cent of our mammals and 30 per cent of our butterflies.

Loss of visual amenity.

The proposed development would have a detrimental impact on visual amenity (pleasantness or attractiveness of a place) The proposed additional property would specifically encroach into the gap, would represent an incongruous and unsympathetic addition.

Increase traffic and detrimental impact on road safety.

The proposed development would significantly increase traffic movements. The entrance to development will be on dangerous/blind bend which is liable to cause accidents with traffic both entering and exiting the proposed development. The creation of additional traffic using an already dangerous road (Bluestone Lane). The danger to pedestrians caused by the creation additional traffic. The Cottage next to the development has no driveway and the owners need to park on the road. This would create a significant risk to vehicles entering and leaving the new proposed site.

7. United Utilities: Have no objection subject to condition requiring details of a sustainable surface water drainage scheme and a foul water drainage scheme.
8. Lead Local Flood Authority: Have confirmed that they have no comment to make on the application.
9. Lancashire County Council Highway Services: Have no objection subject to conditions.
10. Greater Manchester Ecology Unit: Have no objection subject to conditions.

PLANNING CONSIDERATIONS

Principle of development

11. The application site is located within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework (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 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.

12. The application site is located outside the settlement area of Mawdesley and falls to be considered as an 'other place' when considering the location of development in relation to Policy 1 of the Central Lancashire Core Strategy. Policy 1(f) of Core Strategy Policy 1 reads as follows:

"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."

13. The application site is open land with no buildings or development in situ. The supporting statement submitted with the application seeks to engage with paragraph 149.e) of the Framework, the contention being that the site would represent limited infilling in a village, which is an exception to inappropriate development. Policy 1(f) of the Core Strategy reflects this exception and allows for 'appropriate infilling' in 'smaller villages' and within 'substantially built up frontages'. This raises the question of whether the site can be considered to be within a smaller village.
14. Mawdesley is a small village surrounded by countryside. The centre of the village has a number of services including a shop, pub, church and school. For the purposes of the development plan there is a settlement boundary that defines the extent of the village, and the application site is located some distance from this. In consideration of whether or not the site is within a village it is recognised that the definition of a village is not limited to that of the defined settlement area and that the wider functional area must be considered. It is also recognised that the functional area of Mawdesley, in which people live and carry out daily activities, is somewhat dispersed, which is typical of a community that has evolved from its origins in agriculture and the working of land.
15. The application site forms part of a well established area of linear development that extends from the south side of Blue Stone Lane and along both sides of Ridley Lane, Dark Lane and Bradshaw Lane, which is referred to on local maps as Towngate. This reference may be derived from the Towngate Works site to the west of Dark Lane. This area of linear development comprises in excess of 200 property addresses of mainly dwellings but also incorporating businesses at Towngate Works.
16. Aside from the amount of residential development in the locality, there are also a number of amenities that are normally associated with a village in and around this developed area. Towngate Works itself forms part of the developed area to the west of the site, which comprises a range of businesses and some services. Beyond this on Hall Lane are some services such as a barbers and podiatrist in addition to the Black Bull public house, which is currently closed. In addition to these St Peter and St Pauls R C Church and SS Peter and Paul's Catholic Primary School lie at the south east extremity of the development that branches along Ridley Lane.
17. These factors illustrate the dispersed nature of this rural village, whilst demonstrating that the Towngate area is a distinct area of development. Given the extent of this nearby development and the presence of nearby amenities commonly associated with a village, the sprawling nature of Mawdesley village and the extent of development in the Towngate area it is considered that the application site does form part of the functional area of a village.
18. Turning to the matter of infill, policy HS7 of the Chorley Local Plan 2012 - 2026 deals specifically with rural infilling and provides a definition of infill development, which states as follows:
- Within smaller villages limited infilling for housing will be permitted providing the applicant can demonstrate that the following criteria are met:*

- a) *The existing buildings form a clearly identifiable built-up frontage;*
- b) *The site lies within the frontage, with buildings on either side, and its development does not extend the frontage;*
- c) *The proposal would complement the character and setting of the existing buildings.*

Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

When assessing applications for rural infill sites, the Council will also have regard to site sustainability, including access to public transport, schools, businesses and local services and facilities.

19. The application site has a frontage with Blue Stone Lane that has a width of approximately 20m. There are buildings to the east of the site in the form of a converted barn comprising two dwellings and a low level building comprising two live work units, which is immediately adjacent to the site. These are readily discernible from the public realm and create a built-up frontage. To the immediate west of the site is Chase Cottage beyond which is Towngate Farmhouse and Stocks Hall Care home, which are visible from the highway and comprise a substantial built up frontage. Dark Lane meets Blue Stone Lane between Chase Cottage and Towngate Farmhouse and extends southwards dividing to form Ridley Lane and Bradshaw Lane. Development is well established and extensive along these roads as described above. Therefore, in the immediate locality there is a strong presence of built form and thus a clearly identifiable built-up frontage within which the application site forms a small gap.
20. The development of the site would not extend the frontage and clearly lies within the frontage along the south side of Blue Stone Lane due to the presence of buildings on either side of the site. Taking this into account, the proposal would logically be seen as completing the prevailing pattern of development and the site is of a size that is commensurate with the plot sizes of nearby dwellings.
21. The proposed development would, therefore, meet the definition of infill development for the purposes of policy HS7 of the Local Plan. As such it is considered that the proposed development constitutes infill development, which is not inappropriate development within this Green Belt location. The proposal is, therefore, considered to be in accordance with the Framework, Policy 1(f) of the Central Lancashire Core Strategy and policy HS7 of the Chorley Local Plan.

Impact on character and appearance of the locality

22. The site is positioned to the south side of Blue Stone Lane and between existing detached buildings at Chase Cottage and The Owls. The Owls to the east is a single storey red brick building with dual pitched roof of steel sheeting and is of a simple design style. Beyond this is a characterful red brick former barn that has been converted into two dwellings with a more recent annexe building to the rear that was converted from an outbuilding, and has the character of a small barn. To the west Chase Cottage is a white rendered dormer bungalow of traditional design style with a two storey outbuilding of traditional design immediately adjacent to the site. In terms of the actual site itself the only feature of interest is a low stone wall along the frontage and hedgerow along the western boundary.
23. Although the proposed development is in outline at this stage, matters of layout are sought. There is no consistent building line along this part of Blue Stone Lane, and it is proposed that the dwelling would have a front elevation in line with The Owls, which is an appropriate siting in this context. The footprint of the building would be reflective of other properties in the area and would result in a suitable plot to dwelling ratio, with an adequate private amenity area to the rear, and space for parking to the front and side.
24. As regards the eventual appearance of a dwelling the existing development in the locality is rather mixed, although a traditional form is most in evidence. Nearby buildings provide

design cues in terms of the eventual scale and appearance of a dwelling on the site. The stone wall to the frontage is the most defining physical feature of the site, and should be retained as far as is possible, the details of which should be set out in any future reserved matters application. The presence and retention of the hedgerow to the west is also a critical factor that should be considered in the eventual design of any proposed development of the site. This provides a high degree of biodiversity and also some level of public amenity and character that it adds to the streetscene and should, therefore, be protected and retained during any development of the site.

25. The proposed dwelling would be set within a linear pattern of development along Blue Stone Lane and could fit comfortably within this context without causing harm to the character of the area. Overall, it is anticipated that an appropriately designed dwelling could be accommodated on this site in the layout proposed, without detriment to the appearance of the site and character of the locality.

Impact on neighbour amenity

26. The proposed site plan identifies a layout and dwelling footprint that would provide an appropriate degree of separation in relation to the neighbouring dwellings at 1 The Owls to the east and the three residential properties, Chase Cottage, Monsol and Brook House. It would be positioned approximately 3m to the west of The Owls in line with the side elevation, approximately 8m to the east of the annexe/outbuilding at Chase Cottage, approximately 11m to the east of Monsol, and over 30m from the dwelling at Brook House. Given the degree of separation and proposed positioning relative to other nearby properties it is considered that a dwelling could be designed so as not to harm the amenity of the occupiers of these neighbouring dwellings, however, the impact on these properties would need to be carefully considered in any subsequent reserved matters application, and could only be assessed on the basis of detailed designs.

Highway safety

27. The application site is located to the south of Blue Stone Lane, to the west of an approximate 90 degree bend in the road and to the east of the junction with Dark Lane. It is noted that a number of concerns have been raised with regards to the impact of the development on highway safety in relation to current highway safety conditions.
28. Lancashire County Council Highway Services have considered the proposal and following requests for more detailed drawings and amendments consider that the sightlines drawn to the centreline of the carriageway to be acceptable.
29. The applicant is requested to accommodate the construction contractor parking within the site as much as possible. This is 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. The applicant is also requested to enter into a s184 agreement for the formation of the vehicle access in the adopted highway, whilst the carriageway of the driveway should have a desirable maximum gradient of 6%. (Manual for Streets 2 8.401 and 8.4.2)
30. Adequate space for off street car parking provision would be provided within the site that complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.
31. Overall, LCC Highway Services have confirmed that they do not have any objections regarding the proposed outline application for the erection of one detached dwelling including details of access and layout, with matters of appearance, landscaping and scale reserved and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

Ecology impacts

32. The application is accompanied by an ecology assessment of the site. This has been reviewed by the Council's ecology advisors Greater Manchester Ecology Unit (GMEU) who advise that there are no significant ecological issues. Issues relating to great crested newts, bats, nesting birds, protection of a hedgerow and biodiversity enhancement measures can be resolved via condition and / or as part of a reserved matters application.
33. The assessment noted two ponds within 250m of the development site, located on the other side of Blue Stone Lane to the north. The assessment considered the ponds close enough that further information is required based on Natural England Rapid Risk Assessment tool, which has given an amber warning. However, they have assumed the ponds are within 100m, which does not appear to be the case, both being in excess of 160m from the development. When these figures are put through the Rapid Risk Assessment the risk of an offence becomes unlikely even if great crested newts were present. It is, therefore, considered that given this is an outline application no further information is required at this time. As part of a reserved matters application a review of previous findings should be provided, however.
34. No roosting opportunities were identified, though foraging along boundary features may occur. These are however, very unlikely to be significant for maintaining the conservation status of the local bat population, given the length of hedgerow present on site and proximity to a tree lined watercourse to the south, which will provide a much more important foraging and commuting habitat. External lighting should avoid illuminating the hedgerow. If any such lighting is proposed it can, however, be dealt with at the reserved matters stage via a condition requiring details of any external lighting.
35. The western boundary hedge, and potentially the drystone wall, provide bird nesting habitat. It is unclear, given this is an outline application, what impact the development would have on the hedge and similarly the level of impact on the drystone wall. At this stage, therefore, it would be premature to apply the standard bird nesting condition, which can be applied if necessary as part of any reserved matters permission. As noted earlier in the report, however, it is considered necessary that the hedgerow should be retained in its entirety and the stone wall also retained as far as possible in order to add character to the development. This should also be required to support the retention of habitat and biodiversity. Given the high value habitat provided by the hedge this shall be identified for retention as part of the soft landscaping scheme and its retention and protection during construction shall be conditioned.
36. The hedgerow provides potential habitat for hedgehog and there would be risks during construction across the wider site. Again, however, as the level of impact on the hedge etc is not yet known, further information at this time would be premature, and can be provided at the reserved matters stage.
37. Section 170 of the Framework states that planning policies and decisions should contribute to and enhance the natural and local environment. The ecological impacts of the development appear to be restricted to the loss of a small area of low ecological value grassland and likely a section of drystone wall. Given the scale of the development, mitigation should be achievable on site through appropriate native planting and provision of bird boxes etc. The details of which can be provided as part of a reserved matters application through the provision of an ecological mitigation and enhancement plan for the loss of any habitats and associated species interests on site.
38. On the basis that further information is provided at reserved matters stage it is considered that the proposed development complies with policies BNE9 and BNE10 of the Chorley Local Plan 2012 – 2026.

Flood risk and drainage

39. 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 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.

40. 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.
41. United Utilities have considered the scheme and it is recommended that the applicant provides details of a sustainable surface water drainage scheme, that is in accordance with the surface water drainage hierarchy outlined above. The nearby water courses are the responsibility of Lancashire County Council as Lead Local Flood Authority (LLFA). Given the minor nature of the application and associated small scale impacts on surface water run off, the LLFA are unable to provide comment on the planning application. Any surface water drainage scheme that seeks to discharge directly to these watercourses would, however, require land drainage consent from the LLFA. The suitability of such drainage arrangements would be considered as part of that process.
42. It is recommended that a condition be attached to any grant of planning permission requiring a sustainable surface water drainage scheme and a foul water drainage scheme to be submitted to the Council for assessment. These details would then be studied by United Utilities, who would advise as to their effectiveness and acceptability in consideration of the surface water drainage hierarchy, local drainage conditions, sewer capacity and proximity of United Utilities assets.

Sustainability

43. 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:
44. *“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.”*
45. *“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 a condition.

Public open space

47. 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.
48. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states 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.
49. In the determination of planning applications, the effect of the national policy is that although 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 as compared with the new national policy.
50. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less. However, the Council must determine how much weight to give to the benefit of requiring a payment for 1 or 2 dwellings.
51. It is considered that the benefit of securing a public open space contribution on the basis of one dwelling would not be sufficient or carry significant weight to outweigh the national policy position. The benefit to the Council is the delivery of improvements to play space, however the cost of managing the end to end process of delivering those improvements is high and not commensurate to the benefit.
52. Therefore, a public open space commuted sum is not requested for this scheme.

Community Infrastructure Levy (CIL)

53. 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

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

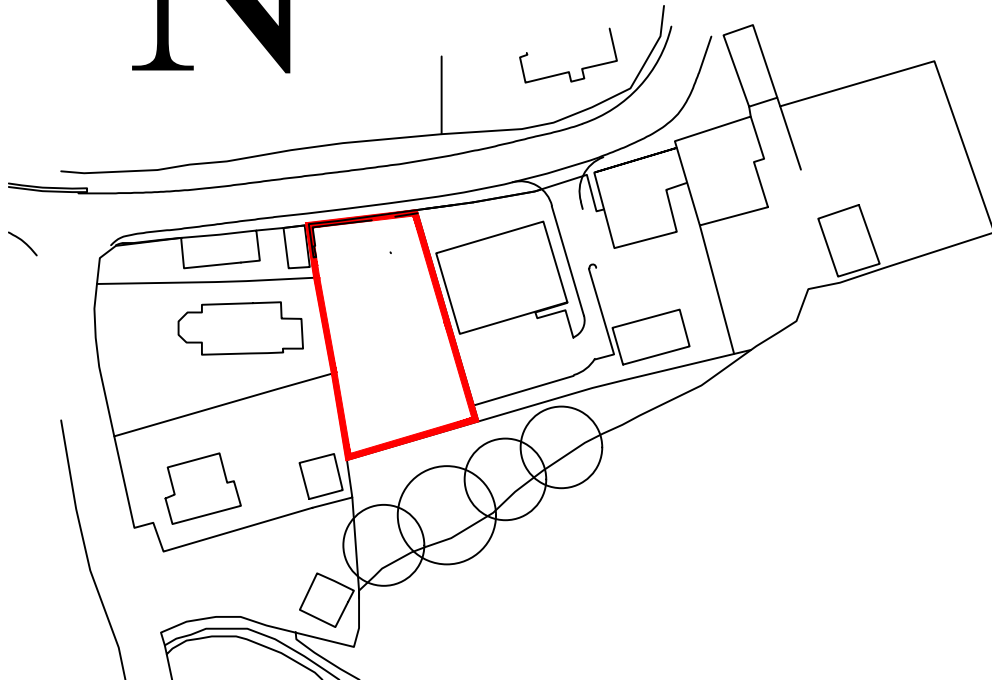
RELEVANT HISTORY OF THE SITE

Ref: 13/00800/FUL **Decision:** PERFPP **Decision Date:** 20 June 2014
Description: Proposed conversion of existing storage outbuilding to 2 no. live-work units, including associated parking and servicing area to the rear.

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.

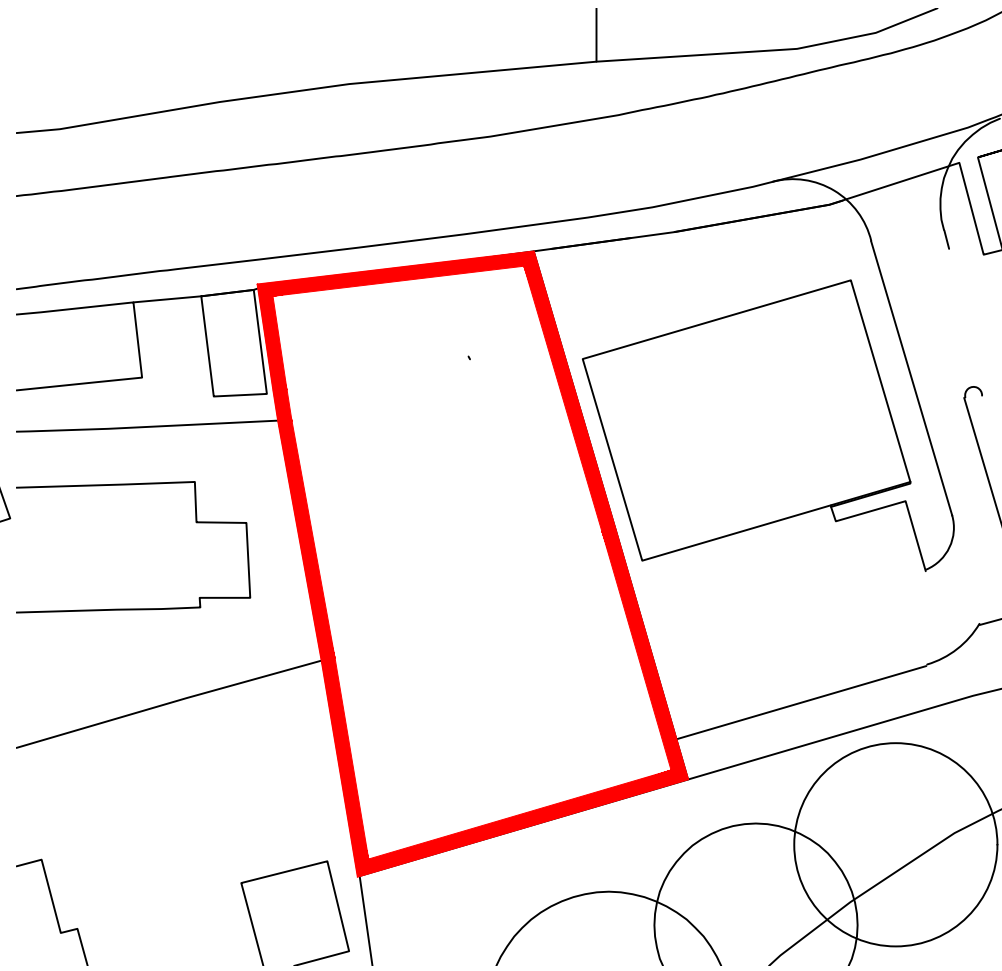
Suggested conditions

To follow



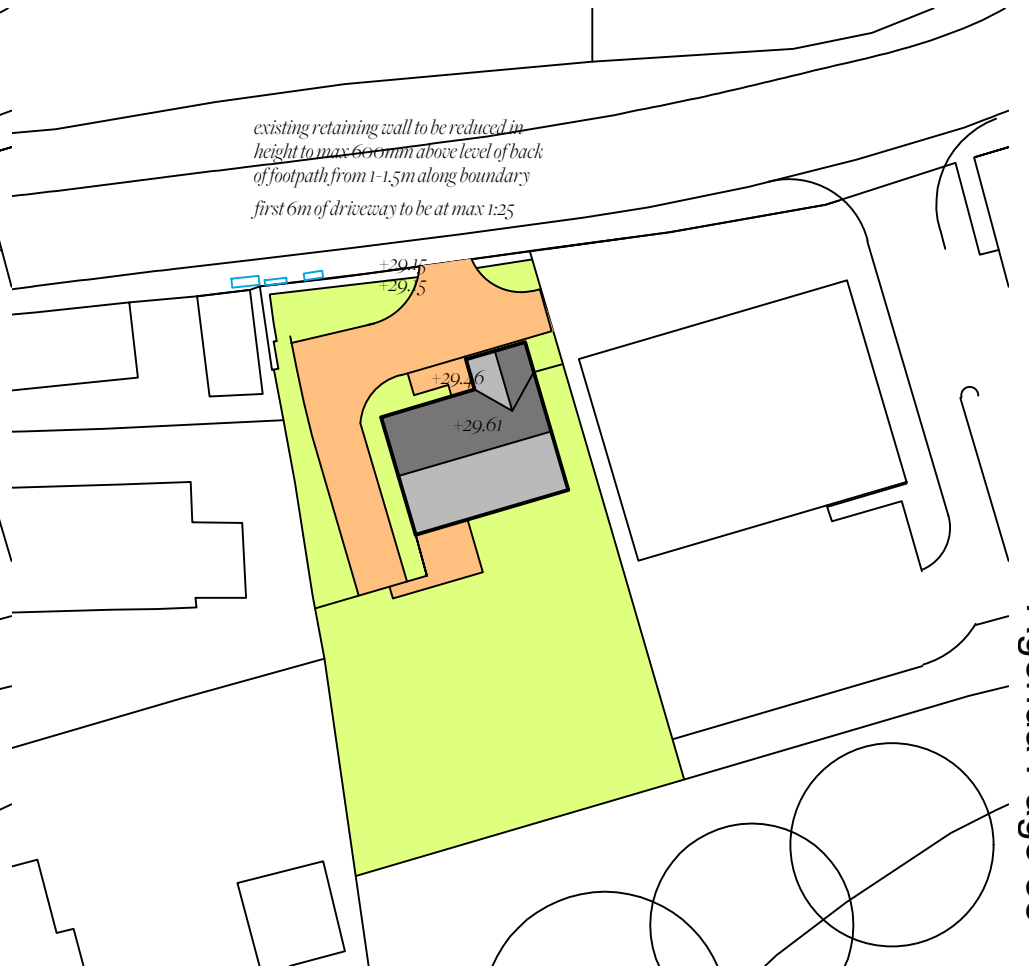
location plan

0 10 20 30 40 50 60m 1:1250



block plan

0 5 10 15 20 25m 1:500



site plan

0 5 10 15 20 25m 1:500

existing retaining wall to be reduced in height to max 600mm above level of back of footpath from 1-1.5m along boundary first 6m of driveway to be at max 1:25

swift
building design

39 back lane
longton
preston
lancashire
PR4 5BD

0161 818 8884
info@swiftbuildingdesign.co.uk
www.swiftbuildingdesign.co.uk



c	06/06/22	entrance moved 3m to the east
b	11/03/22	additional notes added re visibility splay
a	20/04/21	visibility splay moved to second sheet parking increased, entrance moved

drawing
planning drawing

project
proposed residential development, land to south of bluestone lane, mawdesley

drawn
cjw

date
02/21

scales @ A3
1:1250, 500

drawing no. 1 of 2
21.011.01.c

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APPLICATION REPORT – 21/01247/FUL

Validation Date: 11 November 2021

Ward: Chorley North East

Type of Application: Full Planning

Proposal: Demolition of four buildings and part demolition of a fifth building and erection of three detached dwellings

Location: Lower House Fold Farm Trigg Lane Heapey Chorley PR6 9BZ

Case Officer: Mike Halsall

Applicant: Mr Adam Higham

Agent: Mr Chris Weetman

Consultation expiry: 3 December 2021

Decision due by: 15 July 2022 (Extension of time agreed)

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 on Trigg Lane, off Brinscall Mill Road, approximately 1.5km south east of Wheelton and 1.2km south west of Brinscall. The site contains a complex of different buildings comprising dwellings, stables, storerooms, paddocks and other associated hardstanding and buildings that together make up a large and well-established Livery and Stud business.
3. The site is mostly surrounded by open agricultural land, apart from a small cluster of dwellings to the south west, including the Grade II listed Lower House Fold Farm with adjoining barn. Further to the south west there is a cluster of disused buildings in a poor state of repair where Outline planning permission was recently refused at planning committee for the redevelopment of the site for residential use.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks full planning permission for the demolition of four existing buildings, the part demolition of a fifth building and the erection of three detached dwellings.
5. One of the proposed dwellings would be located to the east of an existing dwelling, Bluebell Cottage, following the demolition of three existing buildings in this location, close to the site entrance from Trigg Lane. This is identified as Plot 1 on the Site Plan and House Type A on the submitted elevations drawing. The other two dwellings are on Plots 2 and 3 (House Type B) would be located approximately 40m to the north east on an existing paddock area, just beyond where the largest of the buildings to be demolished (in terms of floor area) is currently located. The fifth building which is to be partially demolished is located to the east of the site entrance.

6. Each dwelling would have three parking spaces to the front and gardens to the rear. The design of the proposed dwellings has been amended by the applicant following comments made by the Council's heritage advisors.
7. The dwelling proposed to be located closest to the site entrance, and the aforementioned listed building (24m away), is similar to that of the existing dwellings to the west being two storey and of stone construction with quoins, slate roof and relatively small openings. The other two dwellings would be of the same materials but of a more contemporary form with a second floor in the roof space, forward projecting gable and balconies to the rear.

REPRESENTATIONS

8. No representations have been received.

CONSULTATIONS

9. Lancashire Highway Services (LCC Highway Services): have responded to state they have no objection to the proposal.
10. Greater Manchester Ecology Unit: has responded with no objection to the proposal, subject to conditions and informative notes being attached to any grant of planning permission relating to the safeguarding of protected species and the provision of ecological enhancement measures.
11. Regulatory Services - Environmental Health Officer: has not responded on this occasion.
12. Waste & Contaminated Land Officer: has responded to suggest that, due to the sensitive end-use of the development (residential housing with gardens) on previously developed land, the applicant submits to the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The above can form the basis of a suitably worded planning condition.

13. United Utilities: have responded with no objection to the proposal and have recommended conditions be attached to ensure the site is sustainably drained in accordance with the drainage hierarchy and that surface and foul water be drained on separate systems.
14. Heapey Parish Council: have not responded on this occasion.
15. Lancashire County Council Emergency Planning Officer: has responded with no comments on the proposal.

PLANNING CONSIDERATIONS

Principle of development

16. The application site is located within the Green Belt and falls within the definition of previously developed land provided within 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.
17. 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.

18. 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 in relation to 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.
19. The equestrian use, buildings and other associated development of this site is well established and falls within the definition of previously developed land specified at Annex 2 of the National Planning Policy Framework.
20. Whilst the test for 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 of 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 existing buildings 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".
21. To engage with the exceptions of paragraph 145 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.
22. Policy BNE5 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.
23. 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. The existing site currently has an impact on the openness of the Green Belt through the presence of the substantially sized equestrian related buildings and other associated development. However, it is important to note that merely the presence of existing buildings on the application 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". Case law has established that for there to be a greater impact, there must be something more than merely a change.
24. The proposal seeks to demolish four of the existing buildings and part of a fifth building to offset the harm to openness arising from the erection of three dwellings.
25. The volume of each of the existing buildings to be demolished, in cubic metres, is provided below:

 - Building 1: 168.05
 - Building 2: 437.55
 - Building 3: 64.68
 - Building 4: 891.72
 - Part Building 5: 436
 - Total: 1,998.00
26. The volume of the proposed dwellings are 851.52 cubic metres for House Type A and 830.85 cubic metres for House Type B. This gives a total proposed volume of 2,513.22 cubic metres.

27. The proposed dwellings would therefore result in an increase in built volume at the site of approximately 26% or 515.22 cubic metres. In terms of floor space, the existing buildings to be demolished cover approximately 682 square metres, whereas the proposed dwellings would cover approximately 327 square metres. This would result in a reduction of floor space covered by built development of approximately 52% or 355 square metres. The Council will typically allow for uplifts in volume of up to 30% without the proposal resulting in a greater impact upon the openness of the Green Belt.
28. As a result of the reduced surface area of built development and the increase in volume being within the Council's agreeable threshold, the spatial impact of the proposed development would be similar to that of the existing development. The visual impacts would also be improved due to a reduction in the overall massing of buildings at the site and the sense of openness would be enhanced, including the scope for soft landscaping. As such the impact on openness when considering the site as a whole would be no greater than the existing development.
29. Given the above, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and as such would not represent inappropriate development in the Green Belt.

Impact on designated heritage assets

30. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principle act which states the following;

Listed Buildings - Section 66(1)

"In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

31. Section 16 of the National Planning Policy Framework (the Framework) refers to conserving and enhancing the historic environment. The following paragraphs contained therein are considered to be pertinent in this case:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

32. The Central Lancashire Core Strategy (2012) (the Core Strategy), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to:

'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:

a. Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'

33. The Chorley Local Plan 2012 – 2026, policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for*

the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'

34. The Council's heritage advisor, Growth Lancashire, have concluded that the proposal will result in some harm to the contribution made by the setting on the significance of the heritage asset. They regard this harm to the overall significance of the listed building to be low. On this basis, the revised scheme as presented causes 'less than substantial harm' and should be assessed under paragraph 202 of the National Planning Policy Framework.
35. The public benefits of the scheme need to be weighed against the identified low level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site and the provision of housing. It is considered that these benefits would outweigh the identified harm, and as such the proposal conforms with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

Impact on character and appearance of locality

36. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):
 - "a) 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.*
 - c) 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;"*
37. The existing buildings proposed for demolition and other surrounding buildings to be retained are of a functional nature akin to their equestrian use. They do not contribute to the character of the area in any positive way. Other buildings to the south west, including the listed building, are of a traditional cottage / farmhouse design and mostly contribute positively to the character of the area, being of stone construction, albeit one has been rendered. These dwellings form a horseshoe shape around a central courtyard / parking area. Part of the listed building located closest to the proposed development has fallen into disrepair and is in a very poor condition. Similarly, the buildings further to the south east are in an extremely poor condition and are harmful to the character and appearance of the area.
38. The section of Trigg Lane terminates at the application site, although there are Public Rights of Way through the site where the proposed dwellings would be seen. House Type A on Plot 1 would be seen in the context of the existing dwellings, including the listed building, and whilst it would be taller than the existing cottages, it would be set back from the existing dwellings and so the impact of the height difference would be softened.
39. Whilst the proposed dwellings would be relatively large compared to the existing dwellings, their size is consistent with modern living standards. Given the remote location of the site, the proposed dwellings are considered acceptable in terms of size, scale, massing and design. The appearance of the dwellings would fit with the rural character of the area. The final choice of externally facing materials and landscaping details can be controlled by planning condition. As such it would be an acceptable design response in the context of this site, which is already occupied by large equestrian buildings.
40. Overall, the proposed development is an appropriate design response to the site and would have a positive impact on the appearance of the site and character of the area in consideration of the present buildings, and would not have a detrimental impact on the surrounding area. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to design.

Impact on neighbour amenity

41. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
42. The dwelling on Plot 1 is proposed to be located side-on and over 13m to the east of the nearest dwelling, Bluebell Cottage. The only side-facing window in the proposed dwelling would serve a bathroom at first floor level. Whilst the facing side elevation of Bluebell Cottage may contain habitable room windows, the interface distance meets the Council's minimum standards. The other two dwellings on Plots 2 and 3 would sit side-by-side and would be well separated from any existing dwellings. They would contain no side facing windows serving habitable rooms. They would both include Juliette balconies serving a bedroom and a rooftop balcony over a single storey rear projection. It would be necessary for privacy screens to be installed in the inner sides of the balconies to avoid direct overlooking into each-others rear private gardens. This could be controlled by planning condition.
43. It is considered that the development would not adversely impact on the amenity of any existing or future occupiers and the proposal complies with policy BNE1 in this regard.

Highway safety

44. 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.
45. The dwellings would be accessed via an existing site access point from Trigg Lane. The site layout plan adequately demonstrates that the site would provide off street parking and vehicle manoeuvring areas for at least three vehicles per dwelling, in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A for a four or more bedroom dwelling of the types proposed.
46. LCC Highways have assessed the proposal and do not have any objections regarding the proposed erection of the dwellings following demolition of existing buildings. The proposal is considered to be acceptable in terms of highway safety having regard to Chorley Local Plan policy BNE1 (d).

Flood risk and drainage

47. 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 National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water being managed by package treatment plant and surface water draining in the most sustainable way.
48. 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.
49. United Utilities have responded with no objection to the proposal and have recommended that the applicant implements a scheme in accordance with the surface water drainage

hierarchy outlined above and that foul and surface water be drained on separate systems. These issues can be controlled by suitably worded planning conditions.

Ecology

50. 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.
51. The Council's ecological advisors have responded with no objection to the proposal and have recommended conditions in relation to protecting bats, birds, the eradication of invasive species and the provision of biodiversity enhancement measures and have confirmed they consider the proposal would have no notable impact upon the Ribble SPA. It is, therefore, not considered that any further assessment is required of the proposed ecological impacts of the proposal and it is considered acceptable in this regard, i.e. an Appropriate Assessment is not required. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

Public open space

52. 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.
53. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states 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.
54. In the determination of planning applications, the effect of the national policy is that although 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 as compared with the new national policy.
55. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
56. There is currently a deficit of provision in Chorley North East in relation to this standard. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified in the settlement and, therefore, no contribution can be sought.

Sustainability

57. 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:

58. "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."
59. "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."
60. 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 could be controlled by a condition.

Other issues

Hazards

61. Part of the site is located on the periphery of a consultation zone associated with an explosives manufacturing and storage facility at Redcliffe International (Shipping) Ltd, Heapey Storage Depot. Lancashire County Council's Emergency Planning Officer has however reviewed the proposals and has no comments to make. The proposal is located approximately 800m from the facility in question and there is already housing located much closer to the facility than the application site. The proposal is therefore considered to be acceptable with regards to any risk associated with the aforementioned facility.

Mineral Safeguarding

62. The site is located within a Mineral Safeguarding Area protected from incompatible forms of development by policy M2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One 2013. The policy seeks to ensure that potential underlying mineral resources are not needlessly sterilised by development. In this instance, the application site has already been developed and so any underlying resource has already been sterilised. There is therefore no conflict with policy M2 as a result of this proposal.

Public Rights of Way

63. Public Rights of Way FP13 and FP15 cross through the application site through open areas of hardstanding between existing buildings. There is no reason to consider that the footpaths would be impacted by the proposal and an informative note can be attached to any grant of planning permission to highlight the location of the footpaths to the applicant and setting out their duties in ensuring they remain unobstructed.

Community Infrastructure Levy

64. 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

65. It is considered that the proposed development would not be inappropriate development in the Green Belt as it would accord with exception g of paragraph 149 of the Framework. Further, the proposal would ensure the protection of neighbouring residential amenity in accordance with the aims of policies within the Framework and the Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that the proposed development would have no detrimental impact on the character of the area and would not give rise to undue harm to ecology, drainage, heritage assets or highway safety.

RELEVANT HISTORY OF THE SITE

Ref: 96/00294/COU **Decision:** PERFPP **Decision Date:** 9 October 1996

Description: Change of use of cow sheds and dairy to livery stabling and stabling for own horses,

Ref: 21/00958/OUT **Decision:** REFOPP **Decision Date:** 4 February 2022

Description: Outline planning application for residential development (all matters reserved)

Ref: 88/00749/COU **Decision:** PERFPP **Decision Date:** 21 February 1989

Description: Change of use of disused farm building into dwelling

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

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

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

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

Title	Plan Ref	Received On
Location Plan	21/112/L01	19 October 2022
Proposed Site Plan	21/112/P01 Rev B	6 June 2022
House Type A (4H2137) - Proposed Plans & Elevations	21/112/P02 Rev B	6 June 2022
Plot 3 - House Type B (5H2635) - Proposed Plans & Elevations	21/112/P03 Rev B	17 June 2022
Plot 2 - House Type B (5H2635) - Proposed Plans & Elevations	21/112/P04	17 June 2022

3. Prior to any works taking place above DPC level, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwelling

- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.
- d) Existing and proposed ground levels and finished floor level of the proposed dwelling.
- e) A scheme for the landscaping of the development and its surroundings to include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded and detail any changes of ground level or landform.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.

4. Prior to the commencement of the development, other than demolition and enabling works, details of a scheme for the mitigation and biodiversity enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be carried out prior to the occupation of any of the dwellings and should consist of house sparrow nesting habitat.

Reason: Due to the loss of swallow nesting opportunities at the site and need for biodiversity enhancement.

5. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur 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.

Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).

6. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

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.

7. Prior to the construction of the superstructure of the dwelling hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. The development thereafter shall be completed in accordance with the approved details.

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.

8. The approved dwelling shall not 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.

9. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

10. Any new external lighting should be designed to minimise the impact on nocturnal wildlife.

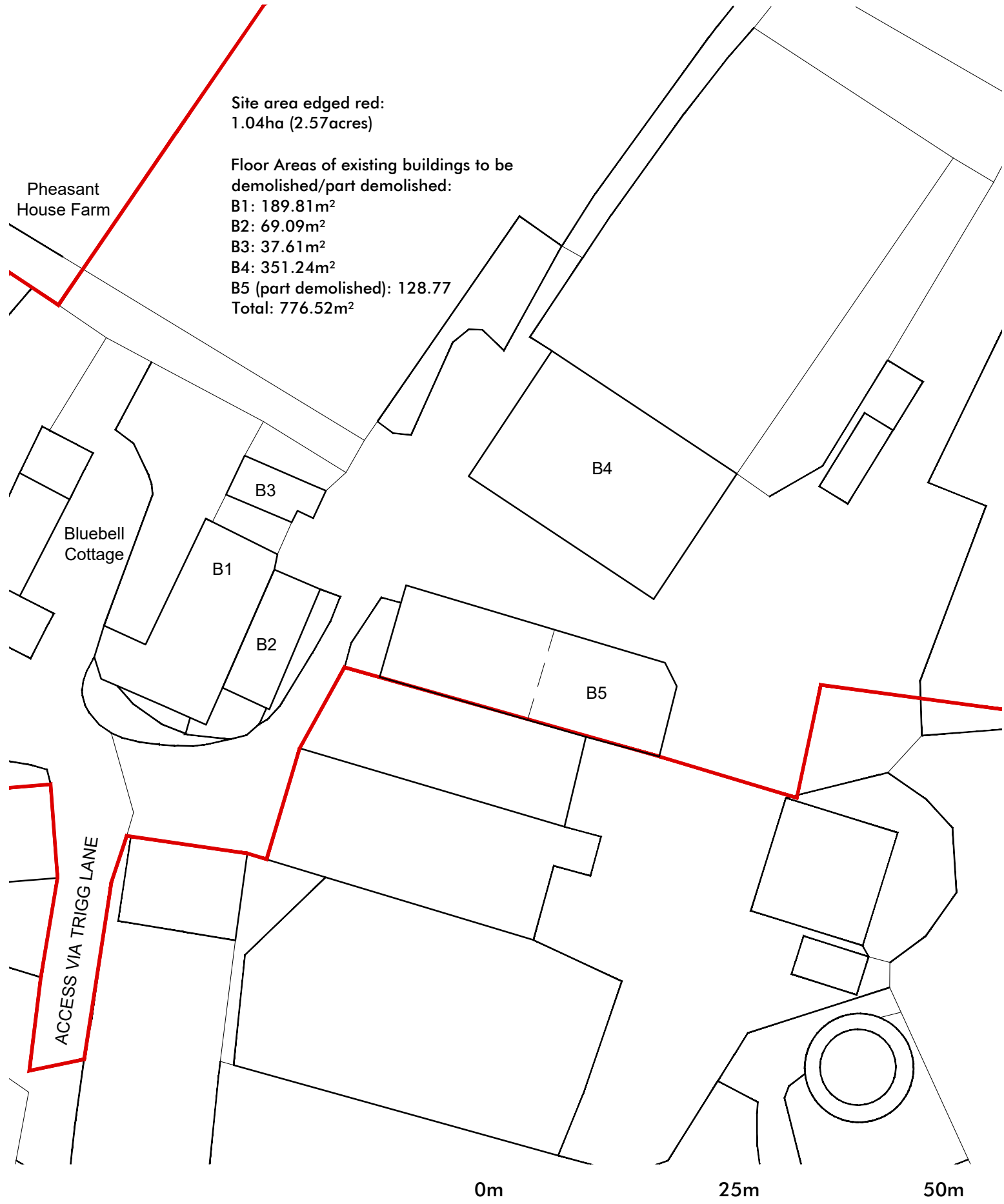
Reason: To avoid disturbance of nocturnal wildlife.

11. Prior to the first occupation of any of the dwellings hereby permitted, all existing buildings labelled B1 to B5 on the Location Plan & Existing Site Layout drawing (ref. 21/112/L01) submitted on 19 October 2021 shall have been demolished and all resultant materials removed from the site.

Reason: To protect the openness of the Green Belt.

12. Prior to any development taking place above DPC level of the dwellings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of privacy screens to be erected to the sides of each balcony. No dwelling shall be occupied until the privacy screens as shown in the approved details have been erected. The privacy screens shall be retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

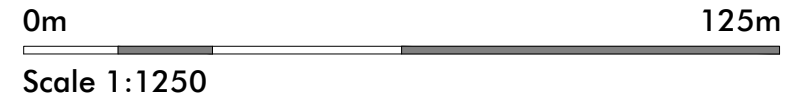
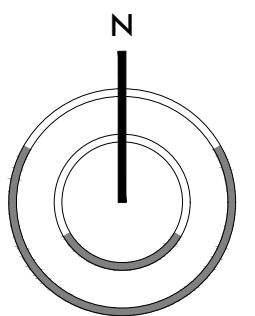
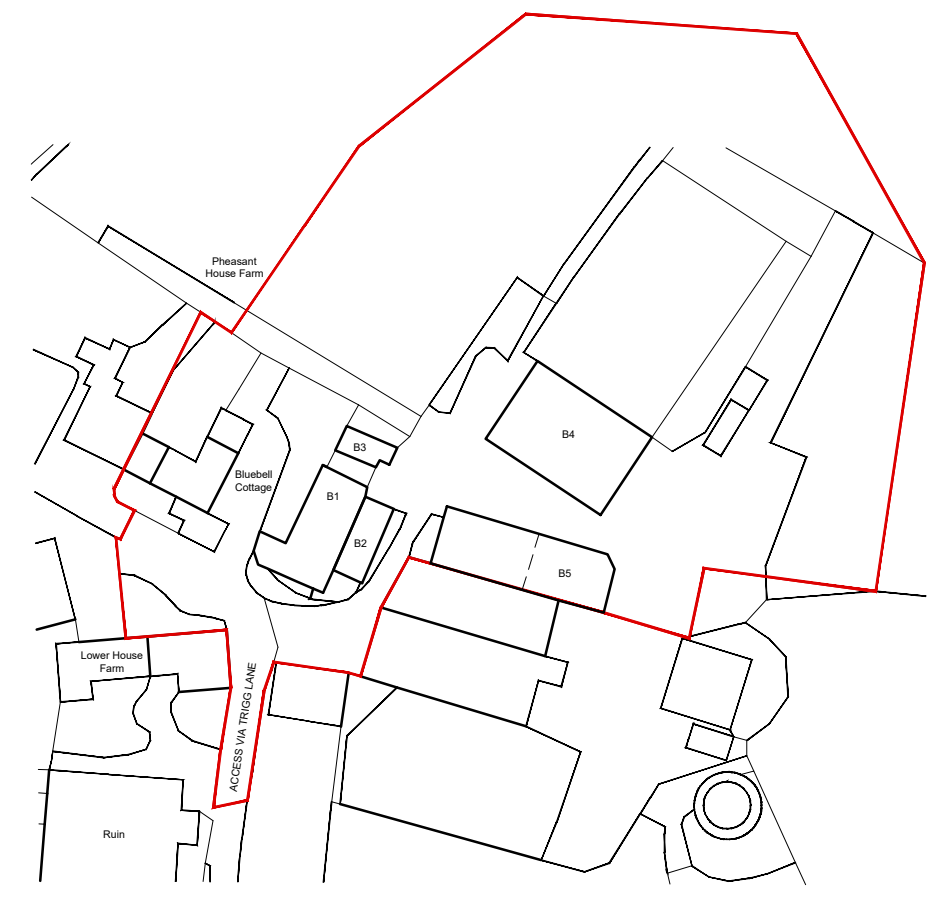
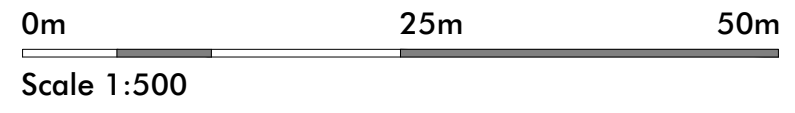
Reason: In the interests of the privacy of occupiers of neighbouring property.



Site area edged red:
1.04ha (2.57acres)

Floor Areas of existing buildings to be demolished/part demolished:
 B1: 189.81m²
 B2: 69.09m²
 B3: 37.61m²
 B4: 351.24m²
 B5 (part demolished): 128.77
 Total: 776.52m²

Existing Site Layout 1:500



Location Plan 1:1250

Revision Notes:

CLIENT	Highall Developments				
PROJECT	Proposed Residential Development at Lower House Fold, Trigg Lane, Heapey, PR6 9BZ				
DRAWING	Location Plan & Existing Site Layout				
DRAWN	WA	DATE	15/10/21	NUMBER	21/112/L01
SCALE	Varies	SHEET	A3	REVISION	-

LMP ARCHITECTURAL CONSULTANTS

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APPLICATION REPORT – 22/00402/REMAJ

Validation Date: 5 April 2022

Ward: Chorley North And Astley

Type of Application: Major Reserved Matters

Proposal: Reserved matters application the erection of mixed industrial/employment units (Use Classes B1/B2/B8) (appearance, landscaping, layout, and scale) pursuant to outline planning permission ref: 15/00224/OUTMAJ

Location: The Strawberry Fields Digital Hub Euxton Lane Chorley PR7 1PS

Case Officer: Mr Iain Crossland

Applicant: Mr Lomas

Agent: Mr Michael Beech, BPD Architecture

Consultation expiry: 5 May 2022

Decision due by: 15 July 2022

RECOMMENDATION

1. It is recommended that reserved matters consent is granted.

SITE DESCRIPTION

2. The application site is located to the north of Euxton Lane, immediately to the west of the recently constructed Digital Hub office block, and to the east of an industrial development at Alker Lane that is being developed by Chorley Council.
3. Outline planning permission was granted in 2015 for a mixed use development comprising a Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure (15/00224/OUTMAJ) on the wider Strawberry Fields site (specifying access only). The application site forms the westerly parcel of this wider development.
4. The wider site covered by the outline planning permission is bounded to the north by the Blackpool to Manchester railway line, to the south by Euxton Lane, to the east by the residential properties on Strawberry Fields and to the west by an industrial development site.
5. The site is located on the outskirts of the main urban area of Chorley in the Chorley North and Astley ward, to the south of Buckshaw village and approximately 1.9 kilometres from Chorley town centre. The immediate area has evolved over the last two decades such that the site is now surrounded by a mix of residential and commercial employment developments and uses.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. This application seeks reserved matters consent for the appearance, landscaping, layout and scale of three mixed industrial/employment units (Use Classes B1/B2/B8). This

represents a partial resubmission of previously approved reserved matters application ref. 19/01099/REMMAJ and includes an additional parcel of land to the north that bounds the railway line.

7. The access to the site would remain unchanged with two access points off the spine road to the south and an access to the north. Car parking areas would be located either side of the spine road serving each unit with loading and manoeuvring areas positioned on the opposite sides of the units.
8. The development proposal consists of three commercial warehouse units. Two would be located to the south of the spine road in place of four previously approved units of smaller scale. The larger of the three units would be located to the north of the spine road. A habitat buffer / corridor is to be provided to the west of the site.
9. The largest of the three units, Unit 3, is located to the north of the spine road and would be located in the very north east corner of the original outline application site. This would be a functional warehouse building providing 4,645 sqm of gross internal area (GIA) floorspace with a dual pitched roof measuring 10.60m to the eaves and 15.60 to the ridge. There would be two smaller units, Unit 1 and Unit 2, which would be located to the south of the spine road as proposed to be extended and would be in what is the south west corner of the original outline application site. Unit 1 would be a functional warehouse building providing 1,394 sqm of gross internal area (GIA) floorspace with a dual pitched roof measuring 9.74m to the eaves and 11.27m to the ridge. Unit 2 would be a functional warehouse building providing 2,100 sqm of gross internal area (GIA) floorspace with a dual pitched roof measuring 9.73m to the eaves and 11.44m to the ridge.
10. All of the three units are of uniform design and would have similar features with high loading doors and fenestration and detailing proposed around office areas and the access doors.
11. The main elevations would be a mixture of cladding and brickwork. The cladding system to be used would be anthracite grey/goosewing grey in colour and of a contoured profile design. There would be detailing around the offices which would take the form of a mixture of microrib cladding and brickwork. This also applies to the high loading doors.
12. Each unit would have a very shallow dual pitch roof rising to a near indiscernible ridge line meaning that the roofs would almost appear as if mono-pitch/flat. The roofs would be constructed of composite roof cladding.

REPRESENTATIONS

13. No representations have been received.

CONSULTATIONS

14. Greater Manchester Ecology Unit: Have recommended that details of the Eco Buffer Zones between the built development and the wider site are provided.
15. Regulatory Services - Environmental Health: Have suggested that the guidance and recommendations contained within the Chorley Council document "Code of Practice for Construction and Demolition", which covers operating hours, plant and equipment, piling, vibration, air pollution and dust should be adhered to.
16. Lancashire County Council Highway Services: Have confirmed that they consider that the proposal is acceptable.
17. United Utilities: Have no objection.

PLANNING CONSIDERATIONS

Principle of the development

18. The acceptability of the principle of the development has been established by the grant of outline planning permission (15/00224/OUTMAJ), which included approval of the access point from Euxton Lane and subsequent reserved matters consents (16/00337/REMMAJ and 19/01099/REMMAJ). A series of conditions relating to the outline planning permission have also been discharged. It is noted that the parameters plan for the outline development was altered through a non material amendment (18/01115/MNMA) and further via a section 73 planning permission (20/01307/OUTMAJ).
19. This application is only considering the outstanding reserved matters of appearance, landscaping, layout and scale for this part of the site. As part of the outline planning permission, a parameters plan was submitted and it was conditioned that reserved matters applications should be made in accordance with it. This plan detailed the position of the different uses on the site and the maximum heights of the buildings that reserved matters applications must adhere to.

Layout

20. The parameters plan approved at outline stage, and as amended, identifies the area of the application site to the south side of the spine road as being set aside for Class B1/B8 uses and for Class B1/B2/B8 on the north side of the spine road. The scope of this reserved matters proposal fits within these parameters.
21. Units 1 and 2 would comprise two warehouse buildings located to the south side of the spine road and there would be two areas of car parking and landscaping provided to the front of the units adjacent to the spine road. This leaves a large area to be dedicated to servicing and manoeuvring to the south of the site, which provides a significant stand off from the highway at Euxton Lane thereby reducing the prominence of the buildings.
22. The largest of the units, Unit 3, would be set furthest from Euxton Lane with an area of parking and landscaping between the building and the spine road. This positioning is such that it would be largely screened from the most prominent views along Euxton Lane, whilst allowing for a sense of arrival on the spine road. There would be a large service yard to the east of Unit 3, which would enable a significant separation between the building and the planned housing development on the parcel of land to the east.
23. The proposed layout would be suitable in the context of a planned industrial development and would ensure adequate separation of the buildings from the most sensitive receptors, whilst providing an adequate sense of arrival from within the estate and a logical arrangement for effective use. The proposed layout of the site is considered acceptable on this basis.

Scale

24. The approved parameters plan set out the scale of the proposed buildings at outline stage. For the part of the site to the south of the spine road, to which this application relates, it restricts building heights to 3 storey (15m) and to 2 storey (10m) within approximately 35m of Euxton Lane. For the part of the site to the north of the spine road building heights are restricted to 3 storey (15m) by the parameters plan. These heights are defined as referring to roof level.
25. All of the units have a maximum floor to lowest part of ceiling height of less than 12 m. The height of each unit from base level to eaves height is as follows: Unit 1: 9.74m, Unit 2: 9.73m and Unit 3: 10.60m. The figures to ridge level for each unit are as follows: Unit 1: 11.27m, Unit 2: 11.44m and Unit 3 15.60m. The increases in height from eaves height to ridge level height reflects the fact each unit benefits from a shallow dual pitch roof. The reason Unit 3 is taller than Units 1 and 2 reflects the fact that its footprint is greater.
26. It is important to note that the overall extent of the area covered under the reserved matters application cannot be described as flat. This is because there is a definable slope from east to west. The effect of this is that the change in levels across this part of the site offers scope to model the land so as to create a satisfactory development platform for Units 1 and 2.

27. The new platform that would be created would be some 2.5m less than the current ground level in this part of the site. It would have a very slight and virtually indiscernible slope from east to west. This means that the base level of Unit 2 would be slightly higher than Unit 1. However, the difference between the floor levels of the two units, which is approximately 1m, would be near indiscernible.
28. It is also noted that the two units are further northwards and away from Euxton Lane (by over 25m) than those that have already been approved. This is so that the units only slightly encroach into the zone identified on the parameters plan that supports development to a 10m roof level. The rest of the zone has an allowance to 15m (to roof level).
29. There is no definition of what roof level refers to in the context of the approved parameters plan. As such flat roofed buildings could reasonably be constructed up to 15m in height on these parcels of land. This would result in a greater massing of building than those that are proposed as part of this reserved matters application, whereby eaves heights are several meters lower than the height to roof level specified in the parameters plan. It is the eaves that influence the bulk and massing of the buildings and so the incorporation of dual pitched roofs do not appreciably increase the bulk and massing of the proposed structures and ensures that the buildings reflect the scale of development envisaged at outline stage.
30. The target heights also assumed that buildings on this part of the site would be sited to reflect existing topography across the site and related site levels. Indeed, no mention is made at outline application stage of the potential to create lower development platforms the effect of which would be to site buildings below natural land heights/levels. Accordingly, units that are proposed to be sited in that part of the employment land where indicative building heights to roof level should be between a target height of 10m and 15m, need to be considered with a degree of realism and flexibility.
31. In the case of Units 1 and 2 only a small portion falls within the zone where the 10m target building height to roof level applies, whilst Unit 3 only marginally exceeds the 15m target level at 15.6m. Given that the term 'roof level' is not defined and the buildings have pitched roofs, whilst the natural site level is reduced through the creation of a lower development platform it is considered that the buildings reflect the scale of development anticipated on this part of the site. The proposal is, therefore, considered to be in accordance with the parameters agreed at outline stage.

Appearance

32. The floorspace and general scale of the units, along with the integral offices, is reflective of the style and scale of units required by the national, regional and local market. The units are typical of modern and fit for purpose employment units in terms of the scope and flexibility of accommodation that they offer.
33. The materials palette can be described as a mixture of brickwork in the form of a Staffordshire blue brick pointed with a complementary mortar tone, intermixed with TPP reverse profile cladding and microrib cladding as feature panels up to the location of the offices. The roof materials would be Tata Trisomet composite cladding, and the overall colour pallet would be anthracite grey and goosewing grey. The proposed materials would be typical contemporary finishes for warehouse units of this type and reflective of other such units in the locality.

Landscaping and ecology

34. An ecology report was submitted at outline stage that made a number of recommendations that informed the masterplan at that stage. A condition on the outline planning permission required any landscaping scheme submitted at reserved matters stage to take account of the habitat enhancement measures set out in the ecology report. This included a biodiversity buffer of at least 8m along the west boundary of the site with the watercourse. This is shown on the proposed site plan. Also relevant to this part of the site was the creation of a new wildlife pond in the south west corner of the site, however, this was removed from the parameters plan via a section 73 application (20/01307/OUTMAJ) in lieu of a financial contribution towards the off-site provision or improvement of a wildlife habitat pond.

35. This application provides the details of a landscaping scheme within the frontage and parking areas of the units. This landscaping would involve lawned areas, hedges and trees set out in a more formally landscaped arrangement than the ecological buffer zone that comprises part of the strategic landscaping of the site. The proposed landscaping would frame the units to the north and south of the spine road and would soften the appearance of the development to some extent, aiding the sense of arrival through the formalised approach. whilst as proposed to be extended main access road. The proposed landscaping reflects the expectations of the parameters plan and is of a design and extent that reflects the style of modern commercial developments.

Impact on neighbour amenity

36. In terms of neighbour amenity the nearest existing residential properties are those to the south west located on Badgers Walk and the estate beyond; Ingholme and Brookfield, a pair of semi-detached properties located on Euxton Lane to the west of the site and the houses on Strawberry Fields located to the east. Derian House Children's Hospice is located opposite the site on the other side of Euxton Lane. Within the wider site itself covered, by the outline permission, will be residential properties to the north of the spine road and east of the application site. The proposed units themselves, although large in scale, would have no unacceptable impacts on nearby or anticipated residential property through loss of outlook or light due to the degree of separation, and in the case of the housing development that is underway to the east, due to the relative positioning and difference in levels also.
37. A noise assessment was submitted with the outline application but a condition was imposed (condition no.15) on the outline planning permission requiring any reserved matters applications to be accompanied by a noise impact assessment demonstrating how the layout has been designed to minimise noise to the lowest practicable levels and include any necessary mitigation measures as the detailed layout of the uses on the site was not known at that time. A noise assessment was submitted with the previous application (19/01099/REMMAJ) covering the southern parcel of the site, however, no noise assessment has been provided in relation to the details of the site to the north of the spine road. As this part of the site could be occupied for general industrial use (Class B2) and would be adjacent to a residential development that is under construction, it is considered that a condition should be attached to any grant of reserved matters requiring a noise impact assessment and details of any necessary mitigation measures in the event that it is to be used for Class B2 use.
38. It is considered that the noise report submitted previously provides sufficient information for the Council to conclude that noise from the development would be acceptable given the uses anticipated for this site under the outline planning permission, subject to further details being required if Unit 3 were to be used for Class B use. There are no other issues in relation to residential amenity that would make the proposal unacceptable.

Highway safety

39. The Chorley Local Plan 2012-2026 sets out the Council's parking standards at policy ST4 and its associated appendix. The proposal complies with the Council's parking standards. LCC Highway Services have confirmed they have no objection to the proposal in terms of highway safety or capacity but have expressed a preference for the corner radii of the main entrances to the yards housing 'Distribution Units 1-2 and 3 be reduced to 6.0m. However, these were previously agreed with LCC Highway Services for the same type of use as part of the previously approved reserved matters. It would, therefore, seem counterintuitive to reduce the access width given the type of use proposed and previous consent.

Community Infrastructure Levy

40. 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

41. The proposed development is considered to be within the parameters of the outline planning permission and the details for this part of the site are considered acceptable.

RELEVANT HISTORY OF THE SITE

Ref: 15/00096/SCE **Decision:** PESCEZ **Decision Date:** 18 February 2015
Description: Request for Screening Opinion Pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011 for a mixed use development comprising Digital Health Park, light industrial/employment units (B1/B2/B8), care home and specialist care facility (C2), local convenience store (A1), family pub (A4), residential units (C3), and associated access, landscaping and infrastructure.

Ref: 15/00224/OUTMAJ **Decision:** PERFPP **Decision Date:** 4 December 2015
Description: Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure.

Ref: 16/00337/REMMAJ **Decision:** PERRES **Decision Date:** 13 May 2016
Description: Reserved matters application (for the appearance, landscaping, layout and scale) for the erection of a digital office park (use class B1); data centre (use class B8) and business centre units (use classes B1/B2/B8), associated spine road and car parking (associated with outline planning permission ref: 15/00224/OUTMAJ).

Ref: 18/00046/DIS **Decision:** PEDISZ **Decision Date:** 3 January 2020
Description: Application to discharge conditions 1 (phasing plan); 3 (levels); 5 (samples of materials); 7 (ground contamination); 11 (construction method statement); 16 (surface water drainage); 17 (foul water drainage); 20 (site access and off site highway works); 21 (estate street phasing); 22 (future management and maintenance of streets); 23 (construction details of streets); 26 (risk assessment) and 30 (services provision) of outline planning permission ref:15/00224/OUTMAJ (which was for the means of access for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8) ; Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1) ; family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure) and conditions 3 (amphibian crossing tunnels), 5 (elevational treatment below FFL and 6 (noise assessment) of reserved matters consent ref. 16/00337/REMMAJ (which was for the appearance, landscaping, layout and scale) for the erection of a digital office park (use class B1); data centre (use class B8) and business centre units (use classes B1/B2/B8), associated spine road and car parking (associated with outline planning permission ref: 15/00224/OUTMAJ).

Ref: 18/00161/FUL **Decision:** PERFPP **Decision Date:** 17 April 2018
Description: Widen existing access, re-surface area using reinforced concrete

Ref: 18/00316/FUL **Decision:** PERFPP **Decision Date:** 8 June 2018
Description: Temporary construction access

Ref: 18/00373/MNMA **Decision:** PEMNMZ **Decision Date:** 2 August 2018
Description: Minor non-material amendment to the development approved under reserved matters consent 16/00337/REMMAJ (Reserved matters application (for the appearance, landscaping, layout and scale) for the erection of a digital office park (use class B1); data centre (use class B8) and business centre units (use classes B1/B2/B8), associated spine road and car parking (associated with outline planning permission ref:15/00224/OUTMAJ) involving changes to the Digital Office building to include omission of overhanging features, substitution of materials from cladding to render and brick and reduction in glazing, reduced FFL from 80.000 to 76.500; amendments to car parking layout and relocation of substation to the north east of the site; and removal of 2no. trees.

Ref: 18/01115/MNMA **Decision:** PEMNMZ **Decision Date:** 19 December 2018
Description: Amendment to approved scheme (ref: 15/00224/OUTMAJ) to substitute a revised parameters plan so that: 1) use classes A1 and A4 are no longer relevant to the proposed development; 2) use class C2 is now located left of the proposed access point; 3) use class D1 has been reduced at the entrance to the site but is now also located at the far north; 4) use classes B1 / B2 and B8 are also located at the far north of the site and have retained their position south of the spine road; 5) use class C3 has been shifted slightly to the right to accommodate the previous point.

Ref: 19/00904/REMMAJ **Decision:** PERRES **Decision Date:** 15 March 2021
Description: Reserved matters application for the erection of 122 dwellings (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ.

Ref: 19/01099/REMMAJ **Decision:** PERRES **Decision Date:** 29 May 2020
Description: Reserved matters application the erection of mixed industrial/employment units (Use Classes B1/B2/B8) (appearance, landscaping, layout, and scale) (resubmission of approved application 16/00337/REMMAJ) pursuant to outline planning permission 15/00224/OUTMAJ

Ref: 20/00147/REM **Decision:** PERRES **Decision Date:** 7 May 2020
Description: Reserved matters application (appearance, landscaping, layout, and scale) for a childrens nursery / after school care facility and ancillary sports / activity building pursuant to outline planning permission 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure).

Ref: 20/00631/DIS **Decision:** PEDISZ **Decision Date:** 16 July 2020
Description: Application to discharge condition no. 32 (BREEAM) of outline planning permission 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure.).

Ref: 20/00750/DIS **Decision:** PEDISZ **Decision Date:** 19 August 2020
Description: Application to discharge conditions nos. 7 (ground contamination) and 11 (construction method statement) of outline planning permission ref: 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)

Ref: 20/00759/MNMA **Decision:** PEMNMZ **Decision Date:** 11 September 2020
Description: Application for a minor non-material amendment to planning permission ref: 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure) to amend the wording of condition 23 to enable works to commence on-site whilst the technical approval of the highways and drainage design takes place

Ref: 20/00790/DIS **Decision:** PEDISZ **Decision Date:** 3 September 2020
Description: Application to discharge condition no. 9 (energy and sustainability statement) of outline planning permission ref: 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience

store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)

Ref: 20/00797/REM **Decision:** PERRES **Decision Date:** 27 November 2020

Description: Reserved matters application for the erection of a care home (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)

Ref: 20/00865/DIS **Decision:** PEDISZ **Decision Date:** 4 August 2021

Description: Application to discharge condition nos. 16 and 17 (flood risk and drainage strategy), 21 (estate street phasing plan), 22 (management and maintenance of streets) and 25 (Construction Method Statement) of outline planning permission ref: 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)

Ref: 20/01307/OUTMAJ **Decision:** PEROPP **Decision Date:** 9 March 2022

Description: Section 73 application for the variation of condition no.2 (approved drawings) attached to outline planning permission ref. 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure) to substitute the approved parameters plan (previously amended under permission ref. 18/01115/MNMA) in relation to the area of land for employment and leisure uses and ecological buffer/landscaping, towards the north western corner of the site.

Ref: 21/00234/DIS **Decision:** PEDISZ **Decision Date:** 21 September 2021

Description: Application to discharge conditions nos.5 (materials), 6 (landscaping), 7 (ground contamination), 11 (construction method statement), 16 (surface water drainage) and 17 (drainage scheme) attached to planning permission ref: 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)

Ref: 21/00236/DIS **Decision:** PEDISZ **Decision Date:** 20 May 2021

Description: Application to discharge condition no.7 (wheel cleaning facilities) attached to planning permission ref: 20/00797/REM (Reserved matters application for the erection of a care home (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility (Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure))

Ref: 21/00488/MNMA **Decision:** PEMNMZ **Decision Date:** 1 June 2021

Description: Minor non-material amendment to reserved matters consent 20/00797/REM (Reserved matters application for the erection of a care home (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ (Outline application (specifying access only) for a mixed use development comprising Digital Health Park, industrial/employment units (Use Classes B1/B2/B8); Care Home and Specialist Care Facility

(Use Class C2); local convenience store (Use Class A1); family pub (Use Class A4) and/or medical centre (Use Class D1); residential units (Use Class C3) and associated access, landscaping and infrastructure)) involving:

Minor footprint alterations, changes to fenestration, lift shaft roof capping, alterations to the roof parapet, brise soleil removed from east elevation, brise soleil to balconies to be replaced with timber alternative, addition of perimeter paving, and relocation of bin store and electric kiosk.

Ref: 21/00678/MNMA **Decision:** PEMNMZ **Decision Date:** 17 August 2021
Description: Minor non material amendment to reserved matters consent 19/00904/REMMAJ (Reserved matters application for the erection of 122 dwellings (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ) involving changes to finished floor levels, layout and elevational details

Ref: 21/01130/MNMA **Decision:** PEMNMZ **Decision Date:** 30 September 2021
Description: Minor non material amendment to reserved matters consent 19/00904/REMMAJ (Reserved matters application for the erection of 122 dwellings (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/00224/OUTMAJ) involving changes to the position of the retaining wall and rear garden boundaries of Plots 100 to 111

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 shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

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

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

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

Title	Plan Ref	Received On
Site Location Plan	873/SFC/LP Rev.A	05 April 2022
Proposed Site Plan	873/SFC/SLP/COM Rev.F	05 April 2022
Site Landscaping Plan	873/SFC/LSP Rev.A	05 April 2022
Proposed Floorplans Type 7 – Distribution 1	873/SFC/CBD7/001	05 April 2022
Proposed Elevations Type 7 – Distribution 1	873/SFC/CBD7/002	05 April 2022
Proposed Roof Plan Type 7 – Distribution 1	873/SFC/CBD7/003	05 April 2022
Proposed Floorplans Type 8 – Distribution 2	873/SFC/CBD8/001	05 April 2022
Proposed Elevations Type 8 – Distribution 2	873/SFC/CBD8/002	05 April 2022
Proposed Roof Plan Type 8 – Distribution 2	873/SFC/CBD8/003	05 April 2022
Proposed Floorplans – Type 6	873/SFC/CBD6/001 Rev.D	05 April 2022

Proposed Elevations – Type 6	873/SFC/CBD6/002 Rev.E	07 June 2022
Proposed Site Sections	873/SFC/SS/01 Rev.F	05 April 2022

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

4. The external facing materials, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

5. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

6. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality.

7. No works to trees and shrubs or vegetation clearance shall occur 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.

Reason: Nesting birds are a protected species.

8. The development hereby approved shall be carried out in strict accordance with the Tree Protection Plan (ref. D4954.002) received 12 May 2022 unless otherwise agreed in writing and for the avoidance of doubt all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained.

9. The private car parking shall be marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative, and permanently maintained thereafter.

Reason: To allow for the effective use of the parking areas.

10. Covered cycle storage facilities shall be provided in accordance with a scheme to be submitted to the Local Planning Authority prior to the first occupation of each unit hereby approved. The approved cycle storage facilities shall be provided before that unit is first occupied and shall be permanently maintained thereafter.

Reason: To allow for the effective use of the parking areas the promotion of sustainable forms of transport and aid social inclusion.

11. Prior to the erection of the superstructure of any building hereby permitted, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been

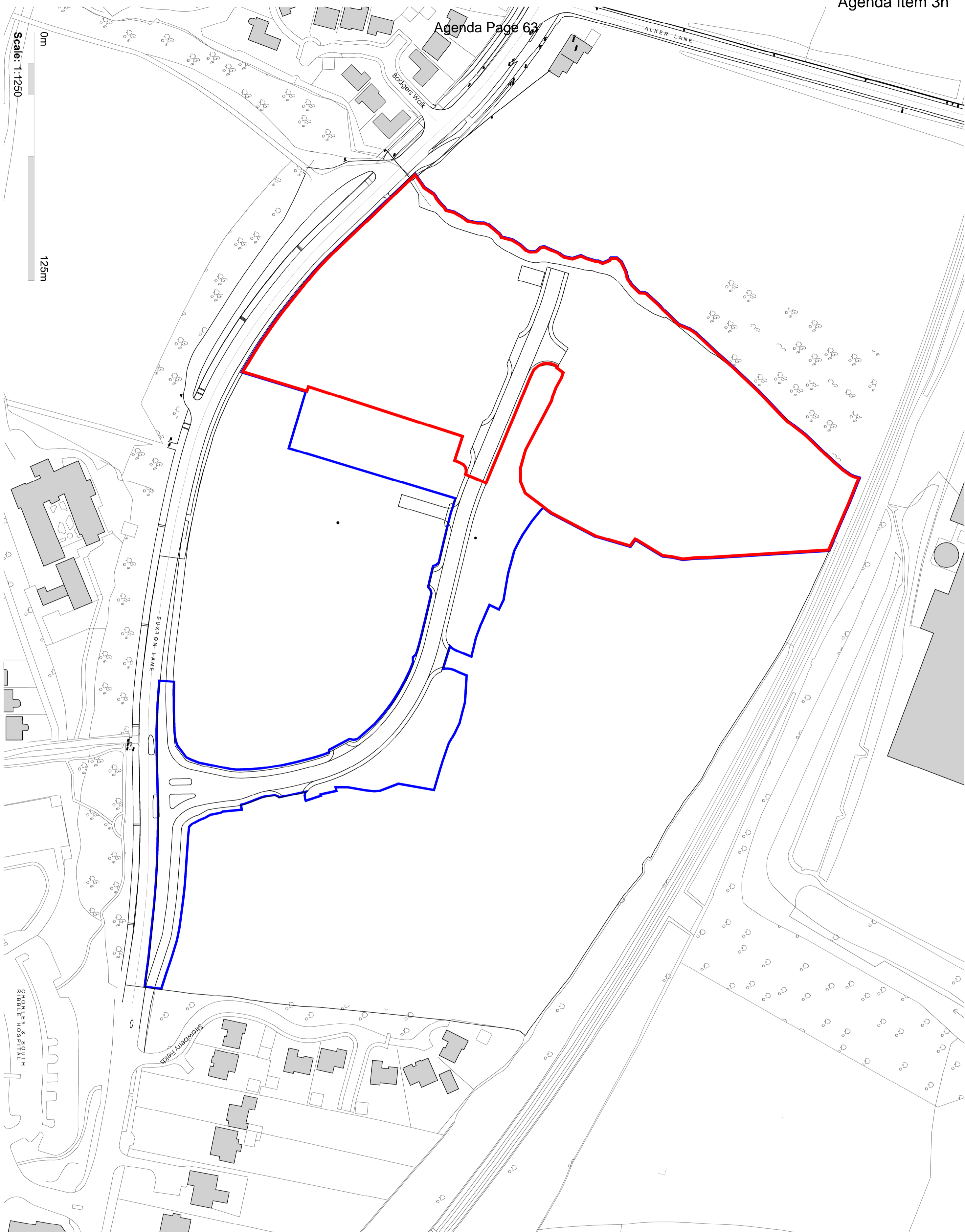
submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.

Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.

12. Prior to the occupation of Unit 3 (identified as Distribution 3 on plan ref. 873/SFC/SLP/COM Rev.F) by a use falling within Class B2 of the Town and Country Planning (Use Classes) (Amendment) (England) Regulations 2020 a noise impact assessment and details of any necessary mitigation measures shall first be submitted to and approved in writing by the Local Planning Authority to ensure the cumulative rating level for industrial and commercial sound associated with that Unit shall not exceed the representative background sound level, when assessed at 1 metre from the façade of the nearest noise sensitive locations (NSRs).

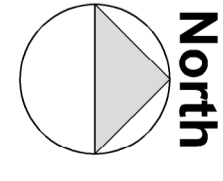
Reason: To protect the amenity of local residents from undue noise.

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NOTES

- All dimensions and levels are to be checked on site.
- Any work commences, this drawing and not be relied to ascertain any dimensions, levels or sight lines only.
- This drawing and not be reproduced without express written permission of the author.
- The author accepts no responsibility for any errors or omissions in this drawing and any reproduction without the author's written consent is prohibited.



Rev A 13/12/21 Boundary parameters adjusted for resurfaces sub
 Revision

bpd Architecture
 CIAT Registered Practice
 Straberry, Brown House Lane, Higher Whetton
 Chorley, Lancashire PR8 5RN
 Tel: 01257 220510
 web: www.bpdplan.co.uk



Project
**Primrose Holdings,
 Strawberry Fields, Euxton Lane, Chorley**

The
SITE LOCATION PLAN
 (Overall site edged blue)

Scale @ A2	Date	Ref	Drawn
1:1250	March 2022	873	MDB
Dwg No	873/SFC/LP		Rev A

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APPLICATION REPORT – 21/00935/FUL**Validation Date: 1 February 2022****Ward: Chorley East****Type of Application: Full Planning****Proposal: Change of use of the land to domestic garden in association with no.1 Bracken Close, installation of concrete paving surface and erection of perimeter fencing 2 / 2.1 metre high (retrospective)****Location: 1 Bracken Close Chorley PR6 0EJ****Case Officer: Amy Aspinall****Applicant: Mr Daron Gregory****Agent: Alex Fowler****Consultation expiry: 4 March 2022****Decision due by: 14 July 2022 (Extension of time agreed)**

RECOMMENDATION

1. It is recommended that planning permission is granted for the retrospective development, subject to conditions.

SITE DESCRIPTION

2. The application site is comprises a parcel of land adjacent to the residential property of 1 Bracken Close and the substation along Eaves Lane. The land formed part of the overall open space landscaping associated with the wider residential development of the former Eaves Lane hospital and forms a continuous grassed frontage from Bracken Close to Grey Heights View. The grassed area to the front of Bracken Close is not designated as open space in the Chorley Local Plan 2012-2026, whereas the larger section between Heather Close and Grey Heights View is.

3. The site falls wholly within the settlement of Chorley, as defined by the Chorley Local Plan Policies Map.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application is retrospective as the works have already been carried out in their entirety. The application seeks full planning permission for the change of use of the land to domestic garden in association with no.1 Bracken Close, including the installation of concrete paving surface and the erection of perimeter fencing which is 2 metres and 2.1 metres in height

RELEVANT HISTORY OF THE SITE

Ref: 02/00831/FUL **Decision:** PERFPP **Decision Date:** 17 October 2002
Description: Single storey side extension,

Ref: 11/00413/FUL **Decision:** PERFPP **Decision Date:** 7 July 2011

Description: Erection of a single storey side orangery

REPRESENTATIONS

5. At the time of report preparation 1no. objection has been received. This is summarised below:

- This is open space as part of the original planning consent
- Will set a precedent for other houses to enclose grassed areas on this stretch of open space valued by Chorley residents.

CONSULTATIONS

6. CIL Officers – Advise that this is not a chargeable development for the purposes of the Community Infrastructure Levy and not CIL Liable.

7. Lancashire Highway Services – raise no objection.

PLANNING CONSIDERATIONS

Principle of development

8. The land constitutes an area of grassed open space, albeit not formally designated under the Chorley Local Plan. The preamble to policy HW2 provides that areas of land which are currently in use as, or were last used as, open space, sport or recreational facilities not identified on the Policies Map are also protected.

9. Policy HW2 (Protection of Existing Open Space, Sport and Recreational Facilities) stipulates that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:

a) *Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or*

10. No alternatives have been put forward as part of the application.

b) *It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and*

11. There is a deficit of amenity greenspace in the Chorley East Ward, however, it should be noted that the Open Space study does not assess sites under 0.2 hectares.

12. The application site comprises an area to the edge of the open space, and adjacent to the existing substation and no.1 Bracken Close. The land forms a small section of a wider parcel of grassed amenity space which would remain unaffected and continue to function as open space.

13. Given that the application site forms only a small area of part of the wider parcel of open space, it is not considered the development worsens the deficit of provision in the local area in terms of quantity and accessibility.

c) *The site is not identified as being of high quality and/or high value in the Open Space Study; and*

14. The site has not been assessed as part of the Open Space study as it falls below the threshold of 0.2 hectares and have less recreational value.

d) *It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and*

15. As stated above, the site is not assessed as part of the Open Space study given its size and that these sites have less recreational value. The Bracken Close area of open space differs to the designated site at Heather Close, as this is much larger and offers pedestrian routes and connectivity through. Notwithstanding this, the application site itself forms only a small section of the open space and does not particularly affect any recreational value, which may be afforded to it.

e) The site does not make a significant contribution to the character of an area in terms of visual amenity.

16. This particular section of open space does make a significant contribution to the character of the area in terms of visual amenity and is part of an area of landscaping provided as part of the original housing development, which provides a continuous green frontage along Eaves Lane, set behind the original retained wall.

17. The application site does not extend up to the highway, but is set back, providing a gap of over 3 metres. The development does not, therefore, remove the continuous green frontage along Eaves Lane, although it is recognised that it does narrow the gap compared to the previous arrangements and the fencing is highly visible given its height and arrangement, but existing vegetation will provide more screening over time. The fact that it is a small section of the grassed area, which has been utilised for domestic purposes means that this wider parcel of amenity greenspace still continues to function in positive terms to the frontage of Eaves Lane and still makes a significant contribution to the character of an area in terms of visual amenity.

Impact on the character and appearance of the area

18. *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.*

19. The development has resulted in the enlargement of the domestic garden of 1 Bracken Close into the adjacent grassed amenity space, which formed the landscaping of the original housing estate. When viewed from Bracken Close, the development is seen in the context of the residential properties and appears as a large corner plot. From Eaves Lane, the fencing is highly visible at approximately 2 metres in height, particularly when the existing vegetation is sparse. Whilst the gap between Bracken Close and Eaves Lane has been reduced as a result of the development, there is still a set back from the road which maintains the sense of openness and the attractiveness of the wider amenity space along Eaves Lane, which then continues up to Grey Heights View.

20. Whilst the height and arrangement of the fencing is prominent in the streetscene, it is not considered that the development has a significantly detrimental impact on the surrounding area to warrant refusal of the application.

Impact on neighbouring amenity

21. *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.*

22. No amenity impacts are identified given the nature of the development.

Highway safety

23. 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.

24. The development results in an increase in parking provision at the dwellinghouse and utilises the same access.

25. Lancashire County Council Highways have assessed the application and advise that the development does not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They do, however, advise that there is concern that the gate opens into the private highway (rather than into the site) and they recommend that the gates should open inwards to ensure the highway is not obstructed by the gates or a hazard to other road users. This could be secured by way of a suitable planning condition.

CONCLUSION

26. The application accords with Chorley Local Plan policy HW2 as the development affects only a small section of the wider parcel of amenity space and does not affect the contribution that this wider site makes to the character of the area in terms of visual amenity. The development would not have a significantly detrimental impact on the surrounding area, nor would it adversely affect neighbouring residential amenity or highways safety. The application is recommended for approval, subject to conditions.

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

The following conditions are recommended:

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

Title	Plan Ref	Received On
Proposed Site Plan	Bracken.01	13 October 2022
Site Location Plan	N/A	1 February 2022

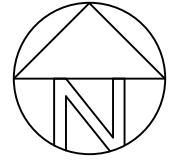
Reason: For the avoidance of doubt and in the interests of proper planning.

2. Within one month of the date of this permission, the access gates shall be made to open inwards into to the site. Thereafter, the access gates shall only open inwards into the site and not outwards onto the highway.

Reason: To provide sufficient time for the applicant to amend the opening of the gates and to ensure the highway is not obstructed by the gates or a hazard to other road users in the interest of highway safety.



Highfield County
Primary School



SCALE 1:1250

Address
1 Bracken Close
Charley
PR6 0EJ

Drawing Title:

Site Location Plan

Drawing Status: INFORMATION

Scale: Size: Date:
1:1250 A4 10/21

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APPLICATION REPORT – 22/00414/FUL

Validation Date: 5 May 2022

Ward: Coppull

Type of Application: Full Planning

Proposal: Erection of a stable block (retrospective)

Location: Land Opposite 37 Preston Road Coppull

Case Officer: Amy Aspinall

Applicant: Mrs Stewart

Agent: Mr Luke Banks, Wignalls Chartered Surveyors

Consultation expiry: 1 June 2022

Decision due by: 30 June 2022

RECOMMENDATION

1. It is recommended that planning permission is granted for the retrospective development, subject to conditions.

SITE DESCRIPTION

2. The application site comprises a rectangular strip of agricultural land, which has a field access off Preston Road. Opposite the site and to the south are residential properties, with Haydock Farm situated to the north west and open fields to the west.
3. The site falls wholly within the Green Belt, as defined by the Chorley Local Plan Policies Map.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application is retrospective and seeks full planning permission for the erection of a stable block.

RELEVANT HISTORY OF THE SITE

5. There is no relevant planning history.

REPRESENTATIONS

6. No representations have been received.

CONSULTATIONS

7. Coppull Parish Council – The Parish Council have submitted a representation; however, the comments section is blank.

8. CIL Officers – Advise that the development is currently exempt from CIL under Reg.42 - Exemption for Minor Development as the new floorspace is less than 100sqm and does not constitute a new dwelling.
9. Lancashire Highway Services- Advise that they have no objection regarding development and are of the opinion that the development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.

PLANNING CONSIDERATIONS

Principle of development in the Green Belt

10. 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.
11. 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.
12. 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.
13. It should be noted, that whilst a proposal may fail one or more exceptions, it only needs to fully satisfy one in order to be considered appropriate development. The exceptions are:

149 a) buildings for agriculture and forestry

 14. The building is not for the purposes of agriculture or forestry.

149 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.

 15. The building is an appropriate facility for outdoor sport and outdoor recreation. However, the test of exception (b) is that the building must preserve the openness of the Green Belt and not conflict with the purposes of including land within it.
 16. Prior to the development commencing, the land was undeveloped. The application asserts that a building previously occupied the site and that the existing slab is where the building was located. However, a planning history for the building has not been identified and the Council's GIS aerial imagery of 2009 and 2020 does not show a building to be present on site. Equally, it is not conclusive from the imagery that the slab has always been present. The application contains no evidence that the slab is lawful.
 17. The Framework itself does not contain a specific definition of 'openness' and it is a subjective judgment, along with objective criteria of making that assessment. 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
 18. It is considered that in respect of the Framework, prior to the development being carried out, the site had minimal impact on the openness of the Green Belt due to it previously being an undeveloped parcel of agricultural land. The erection of the building on the land has a spatial impact on openness by its mere presence and is also a visible development along Preston Road. The existing boundary treatments do provide an element of screening, however, this does not negate the impact. The erection of the building has an impact on the

openness of the Green Belt compared to the previous situation as an undeveloped site, and in this context, it cannot be said that openness has been preserved. The development, therefore, fails the openness test of exception (b).

19. In respect of the second test of exception (b) the purposes of the Green Belt are set out at paragraph 138:

a) to check the unrestricted sprawl of large built-up areas

Due to the scale and nature of the development, it has not resulted in the unrestricted sprawl of large built-up areas

b) to prevent neighbouring towns merging into one another

The development does add to the potential of towns merging.

c) to assist in safeguarding the countryside from encroachment

The development has resulted in encroachment into the countryside due to the erection of built development on greenfield land.

d) to preserve the setting and special character of historic towns

Not applicable to the site.

e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Not applicable to the development.

20. The development has failed to safeguard the countryside from encroachment and, therefore, fails the second test of exception (b).

149 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

21. Not applicable.

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

22. Not applicable.

149 e) limited infilling in villages

23. The site lies adjacent to the settlement of Coppull as defined by the Chorley Local Plan 2012 – 2026 Policies Map. For the purposes of the Framework ‘villages’ are not defined by settlement boundaries and given the built form either side of the site and to the opposite side of Preston Road, there is a visual and functional link to the settlement. The site can satisfactorily be considered to fall within a village to engage exception (e).

24. The term ‘limited infilling’ is not defined in the Framework, however, ‘infill’ is defined in the Chorley Local Plan as the following:

25. *‘The infilling of a small gap in an otherwise built up frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in-keeping with the character of the streetscene’.*

26. Within the streetscene of Preston Road, the site has a width of approximately 90 metres, however, despite its width the land is of limited depth appearing as a narrow strip of land that exists between buildings either side and opposite. There is a readily identifiable built-up frontage and the application site is seen as a gap within this frontage. Recent appeal

decisions regarding limited infilling in villages have been consistent with this general approach and the need to consider other factors beyond the width of the gap.

27. The development relates to a stable block comprising 2no stables, which is small-scale. The development, therefore, satisfactorily falls within exception (e). It should be noted that where a development proposal satisfies the limited infilling exception, there is no requirement under the Framework to consider any tests of openness or the purposes of the Green Belt.

28. The development is, therefore, considered to be appropriate development in the Green Belt on the basis of this exception to inappropriate development.

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

29. Not applicable.

149 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.**

30. Not applicable.

31. Whilst the development does not satisfy a number of exceptions, the development accords with exception (e) of paragraph 149 of the Framework and is, therefore, acceptable in principle within this Green Belt location.

Rural Development Supplementary Planning Document

32. The Central Lancashire Rural Development SPD (2012) provides guidance on the acceptability of equestrian developments at Chapter F. This is set out below:

Scale - A small private development will involve no more than three horses. For development proposals involving more than three horses, the applicant should submit a statement with the planning application detailing why accommodation of the size proposed is required.

33. The proposal provides stables 2no. horses and, therefore, is of an appropriate scale in accordance with the Supplementary Planning Document.

Siting - New buildings should not harm the landscape character of the surrounding area. They should be well related to existing trees, hedges or landscape features, avoiding prominent positions, and generally at least 30 metres away from neighbouring residential properties. There should be proper screening for car and horse-box parking and appropriate arrangements for manure storage and/or management.

34. The stable block is well sited in relation to existing boundary treatments, which does offer an element of screening. Neighbouring residential properties are over 30 metres away from the building. The need for a horse box on this site would be limited, however, should there be a requirement to park one on the site, the existing boundaries would be sufficient. Details of manure storage have not been provided but could be conditioned accordingly.

Design/materials - Traditional designs will generally be the most appropriate, clad externally in timber and with an internal timber frame, with a maximum ridge height of 3.5 metres for stables. Tack rooms and hay stores should be part of the same building, and each should be of a similar size to an individual stable.

35. The design and materials accord with the provisions of the SPD in terms of design and materials.

Site treatment: hard-standing areas, access tracks and sand paddocks should be of the minimum size necessary and should not encroach on the open countryside. Careful consideration will be required for the design of storage or parking of horse boxes on site, and fencing should be appropriate to the local vernacular and not suburban in appearance. Sand paddocks should utilise existing ground levels unless absolutely necessary and should not appear built out of the ground and thus alien to the natural contours of the land. Where a sand paddock needs to be above ground level an assessment of its visual impact would be required and appropriate mitigation incorporated into the design. Floodlighting of sand paddocks and yards is generally inappropriate in the open countryside or near to neighbouring residents. Where floodlighting is proposed, it should be designed to minimise light spillage from the lit area.

36. The application does not include any proposals for hardstanding areas or a sand paddock. Nor is any floodlighting proposed. The development is small-scale and would utilise the existing agricultural field gate for access without the need for additional site treatments or surfacing. No floodlighting is proposed and this is to be controlled by condition.

Highway safety/bridleway use - the movement of horses or vehicles resulting from the siting of stables should not create danger to horses and riders, or to other road users. Stables are best sited to have safe and convenient access to the bridleway network or minor roads, although existing bridleways should not become over-intensively used as a result of the development. Wherever possible there should be a designated turning area within the site so that lorries, horse-boxes or towed trailers do not have to be reversed either on or off the highway.

37. The proposal is considered acceptable in this regard, as Lancashire County Council Highways have raised no objection. The application states that the horses kept are Shetland Ponies, therefore, there would be no requirement to ride them.

Re-instatement - In order to protect the appearance of the countryside, stables and associated development which are unused for a period of at least six months within 10 years of their completion will be required to be removed from the site (by a condition attached to the planning permission) and the land restored to its former condition.

38. The land could easily be reinstated back to its former agricultural use. The suggested condition in the SPD would be reasonable and necessary and the applicant has confirmed their acceptability to it.

39. Paragraph 40 of the SPD also sets out additional criteria for developments involving horses:

In the case of indoor facilities or commercial stables, the development is within an existing building or forms part of a farm diversification scheme;

40. The development is for private use and does not include any indoor facilities other than the stable block.

In the case of small, private developments the site should be close to existing buildings and well screened by existing trees or local landscape features;

41. There are no existing buildings on site and whilst the stables are sited more centrally within the site, as the development is considered to be limited infilling, the siting is appropriate in this context.

The development would not result in the over-intensive use of the local bridleway network; - the movement of either horses or vehicles as a result of the development would not prejudice road safety.

42. The proposal is considered acceptable in this regard given the small-scale nature of the development and type of breed of ponies.

Provision for removing any equipment and re-instating the site once its use for horses is no longer required.

43. As set out above, such a condition could be attached to any grant of planning consent.

44. The development accords with the criteria of the Rural Development Supplementary Planning Document.

Impact on neighbouring amenity

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.

45. Given the location of the site adjacent to a working farm, the small-scale nature of the development and the separation to neighbouring residential properties, it is not considered that the development adversely affects neighbouring residential amenity. In addition, the application is retrospective, and no objections have been received in this respect. The development is therefore considered to be compatible with surrounding land uses.

CONCLUSION

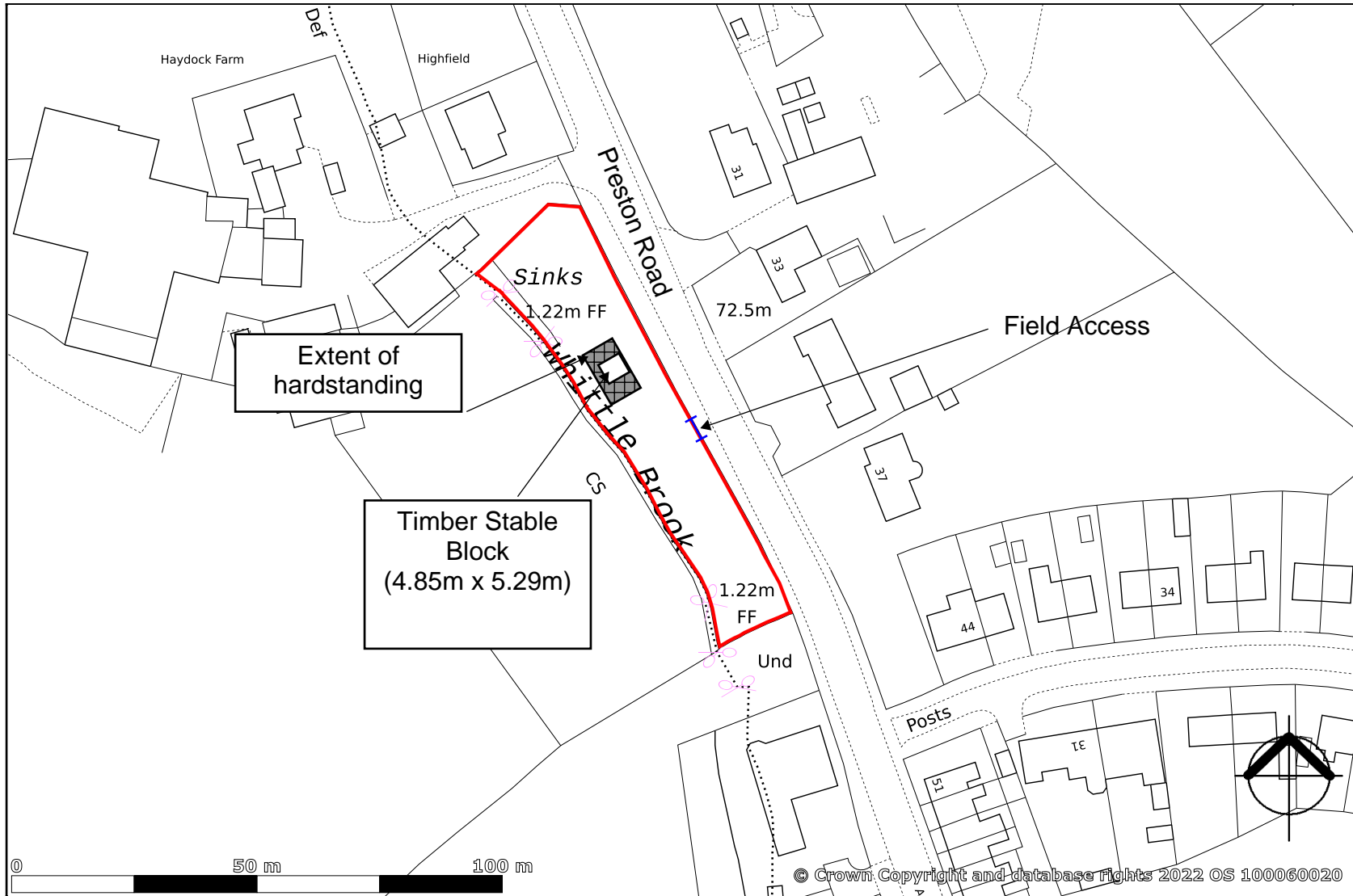
46. The development accords with exception (e) of paragraph 149 of the Frameworks as it constitutes limited infilling in a village. The development satisfies the requirements of the Rural Development Supplementary Planning Document in relation to equestrian development and does not adversely affect the amenity afforded to neighbouring residential properties. It is recommended that planning permission is granted for the retrospective development, subject to conditions.

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

47. To follow.

Land off Preston Road, Coppull, Chorley



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