

Planning Committee

Tuesday, 7th February 2023, 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 | |
|-----------|---|------------------|
| 3a) | 21/00847/OUTMAJ - Land Next To 190 Blackburn Road, Heapey | (Pages 9 - 38) |
| 3d) | 22/00989/FUL - Park View, Runshaw Lane, Euxton | (Pages 39 - 48) |
| 3e) | 22/00164/FUL - Wilbrook, Blue Stone Lane, Mawdesley, Ormskirk, L40 2RG | (Pages 49 - 62) |
| 3g) | 22/00851/FUL - Woodend Farm, Parr Lane, Eccleston, Chorley, PR7 5RL | (Pages 63 - 82) |
| 3h) | 22/00852/LBC - Woodend Farm, Parr Lane, Eccleston, Chorley, PR7 5RL | (Pages 83 - 90) |
| 3i) | 23/01179/FULMAJ - NIS Engineering Common Bank Industrial Estate, Ackhurst Road, Chorley, PR7 1NH | (Pages 91 - 100) |
| 3j) | 23/00004/FUL - 10 Riley Green, Hoghton, Preston, PR5 0SL | |
| | This item has been withdrawn from the agenda. | |

Chris Sinnott
Chief Executive

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APPLICATION REPORT – 21/00847/OUTMAJ

Validation Date: 9 July 2021

Ward: Chorley North East

Type of Application: Major Outline Planning

Proposal: Outline planning application for residential development specifying access from Blackburn Road (all other matters reserved)

Location: Land Next To 190 Blackburn Road Heapey

Case Officer: Mike Halsall

Applicant: Smith & Love Planning Consultants

Agent: Smith & Love Planning Consultants

Consultation expiry: 27 August 2021

Decision due by: 23 September 2022 (Extension of time agreed)

RECOMMENDATION

1. The applicant has appealed to the Planning Inspectorate against the Council's non-determination of the planning application. As such, it is recommended that the Planning Committee be minded to resolve to refuse Outline planning permission for the following reasons:
 1. The proposed development is contrary to policy 1 of the Central Lancashire Core Strategy 2012 because the application site is not within an area that has been identified for growth and investment. The only types of development that would be considered acceptable in smaller villages such as Wheelton will be typically small scale and limited to appropriate infilling conversion of buildings and proposals to meet local needs, the proposal does not meet any of these criteria. No exceptional reasons have been put forward to support a larger scale development scheme.
 2. The proposed development would not provide safe access for pedestrians and a sufficient level of cycling infrastructure. The proposal conflicts with paragraph 110 of the Framework and policies BNE1 and ST1 of the Chorley Local Plan 2012 to 2026 in this regard.

SITE DESCRIPTION

3. The application site is located within the defined settlement boundary of Wheelton as identified on the Chorley Local Plan Policies Map. The site forms much of a roughly rectangular shaped parcel of undeveloped agricultural land set to grass with a small cluster of trees within the site and hedgerows to its perimeter. A section of the field running parallel with the A674 to the south east falls outside of the site boundary.
4. The site is bound by Blackburn Road to the north west and south west, dwellings on Ryefield / Rycroft to the north east, no.190 Blackburn Road to the north, and the A674 bypass to the south east.

5. Wheelton has a range of local amenities including a primary and nursery school, a local store, cafe, restaurant, hairdressers, village hall, recreational field and park and three public houses.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The application seeks outline planning permission for the erection of dwellings on the site, with vehicular access to be achieved from Blackburn Road, towards the northern end of the site.
7. The Design and Access Statement submitted in support of the planning application identifies that the site would be development for up to 40 dwellings. An illustrative site layout has been submitted in support of the proposal which shows the south western end of the site remaining largely undeveloped and used for public open space with tree planting and footpaths. There is a water-main beneath this section of the site and so its development for housing may be problematic. The rest of the site layout plan is shown as being developed for dwellings with at least two of which being bungalows. Dwellings are shown as semi-detached, detached and terraced dwellings. Vehicle parking is shown to the front of dwellings, gardens to rear and roads branching from a main spine road. The pattern and density of development is similar to that of the adjacent Ryefield estate. A pedestrian connection is shown to connect the scheme with the Ryefield development.
8. As the proposal is submitted in outline with only the site access as a detailed matter, the appearance, scale, layout and landscaping of the proposal would form part of a future reserved matters application/s should outline planning permission be granted.

REPRESENTATION

9. Representations have been received from the occupiers of 136no. addresses, as well as from Wheelton Parish Council and the Heapey and Wheelton Village Hall Committee, citing the following summarised grounds of objection.
 - Increase in traffic / congestion – especially during school drop-off / pick-up times for St. Chads
 - Road / pedestrian safety – especially during school drop-off / pick-up times for St. Chads
 - On-street parking on Blackburn Road
 - Harm to the character of rural area
 - Unsuitable timing of transport surveys during lockdown
 - Land acts as a buffer between housing and A674
 - Sewage system is at capacity
 - Pressure on local infrastructure, e.g. schools, transport, hospitals, GP places
 - Cumulative impact with Botany Bay development
 - Land stability
 - Heritage impacts – not in keeping with Victorian mill village
 - Flooding
 - Lack of local amenities e.g. recreation facilities, shops etc.
 - Reduction in green space in the area / should look for brownfield land
 - Does not reduce the need to travel – an objective of the Core Strategy
 - Conflict with Policy 1(f) of the Core Strategy
 - Would increase local population by over 10%
 - Noise and disruption during construction work
 - The proposal will deter visitors to the area
 - Site is not required as part of the Council's 5-year housing land supply
 - Cycling to reach schools, doctors, etc. is not possible as A674 is too dangerous
 - Site is in an unsustainable location
 - Surface water management should be fully investigated prior to determination
 - Noise, light and air pollution
 - No social, environmental and economic benefits

- Poor public transport links
 - Footpaths are overgrown and poorly maintained
 - Ecological impacts
 - Reference is made to policies V1 and V2 of Chorley Local Plan
 - Impact on landscape character setting
 - Increase in crime
 - Any new homes should be carbon neutral
 - Climate change
 - Criticism of the consultation process, including its timing
 - Impacts upon residential amenity
 - Loss of parking spaces on Blackburn Road due to the new site access point
 - Pedestrian link to /Ryefield will cause noise, pedestrian and cycle traffic through the estate which was built as a cul-de-sac for senior citizens
 - Footway shown as reference 9 on the site layout plan serves no useful purpose.
 - Criticism of the assessments submitted in support of the application
 - Conflict with the Core Strategy, Local Plan and National Planning Policy Framework
 - The field has previously been used for the annual village fete which provided in excess of £3000 per annum for Village Hall funds – Covid has meant the use of the hall has been restricted, leading to further loss of income with no Govt support
 - Residents and visitors use the Village Hall car park stopping paying users from accessing the car park which has resulted in a loss in user groups – the proposal would remove the hall's alternative parking arrangements and revenue from fetes – if the hall has to close, villagers will have to travel to access similar services, making the village less sustainable
 - Village Hall would like to see planning gain from the site value to compensate the village and its residents for the loss of amenity / social infrastructure
10. Five representations have been received citing the following summarised grounds of support:
- Would like to move to Wheelton due to motorway links for commuting and is a small village with a lot of character and local school. Lack of housing means it currently isn't an option.
 - As long as the proposal is well designed and sites well with the character and appearance of the village, would give it full support.
 - Would like to move back to Wheelton but prices currently too high
 - Off-street parking is proposed, rather than on-street which is a problem in the village
 - The proposed public open space will be a nice space to visit and in keeping with the village
 - More trade to the local business, e.g. the garage, hairdressers, café and pubs
 - Provides a sympathetic extension to the village on a small patch of land bound by roads and existing housing
 - Very little opportunity for younger people / families to move the village at the moment with the scarcity of housing
 - Preferred to the larger scale developments taking place elsewhere in Chorley
 - Usually only light traffic in the area
11. One representation neither objects nor supports the proposal, but cites the following considerations:
- A 40mph speed limit should be placed on the adjacent length of the A674 from the M61 J8 to Higher Wheelton
 - A pedestrian crossing should be placed through the existing underpass and land dedicated to this provision to the south of the A 674 linked by an appropriate footway back to Chapel Lane
 - A car park should be placed to the west of the housing instead of the proposed open space, to serve those in the village with no off-road parking provision
 - All existing hedgerows should be maintained by condition

- A sum provided for walking and cycling linked to the adjacent Leeds Liverpool Canal specific to the tow path improvements
- Loss of income for Village Hall should be compensated
- Developer should meet or exceed the requirements of the Central Lancashire SPD on employment and skills
- Additional consideration given to social value derived from the development from a supply chain perspective

CONSULTATIONS

12. Heapey Parish Council: Have objected to the proposal citing many of the concerns listed above in the representations section of this report.
13. Lancashire County Council (LCC) Highway Services: Initially responded to request a number of issues be addressed by the applicant before the application is determined. The issues related to sustainable travel, highway safety and construction traffic. This is discussed in more detail later in this report, but in summary, the applicant provided further information, including a traffic survey, in support of the application to the satisfaction of LCC Highway Services. LCC Highway Services raise no objection to the proposal, subject to a condition requiring that the development is not commenced until highway improvement works have been constructed in accordance with a scheme to be agreed with the local planning authority, in consultation with LCC Highway Services.
14. The Environment Agency: Have responded to note that the previous use of the site presents a high risk of contamination that could be mobilised during construction to pollute a secondary aquifer beneath the site. They state however that the proposed development will be acceptable if a planning condition is included requiring the submission and implementation of a remediation strategy.
15. Greater Manchester Ecology Unit: Have reviewed the submitted ecological assessment and, in summary, conclude that the assessment is adequate and have recommended conditions and informative notes be attached to any grant of planning permission. These should ensure that hedgerows and trees to be retained should be protected during construction work, lighting follows best practice guidance of being non-obtrusive, vegetation removal does not take place within bird nesting season, unless a survey has taken place and that any future reserved matters scheme shows details identified in the submitted ecology assessment. GMEU also suggested that the proposal includes details of how a net gain in biodiversity can be achieved at the site.

A biodiversity net gain assessment was subsequently submitted by the applicant to the satisfaction of GMEU which demonstrates that, based upon the indicative site layout, a net gain in the biodiversity value of the site can be achieved. GMEU have suggested a condition be attached to any grant of planning permission to ensure that the final proposal at reserved matters stage delivers the biodiversity enhancements.
16. Lancashire Police Designing Out Crime Officer: Have responded with a list of security measures for the proposal, aimed at reducing crime. The measures have been issued to the applicant's agent for consideration, when drawing-up the detailed design of the development at reserved matters stage, should this outline application be approved.
17. Regulatory Services - Environmental Health Officer: No comments have been received.
18. Waste & Contaminated Land Officer: Have responded requesting a planning condition be attached along the same lines as that requested by the Environment Agency, in relation to a remediation strategy.
19. Lancashire County Council as Lead Local Flood Authority: Have responded with no objection to the proposal and have requested that conditions be attached to any grant of planning permission. The conditions would ensure the development is carried out in accordance with the principles of the submitted Flood Risk Assessment and Drainage

Strategy and that a final strategy is submitted and approved by the Local Planning Authority prior to the commencement of development at the site. They would also ensure a construction phase surface water management plan is submitted for agreement and also an operation and maintenance plan and verification report.

20. Tree Officer: Have responded to state that an Arboricultural Method Statement and Tree Protection Plan should be produced if the development is to progress, to minimise any negative impact on the group of hawthorn within the site and the retained trees off-site. This can be adequately controlled by planning condition.
21. Lancashire County Council Historic Environment Team (HET): Have responded to state that historic mapping does not suggest that the site has a high potential for any archaeological features to be present. The HET therefore does not consider that any archaeological investigation of the proposed development site is necessary.
22. United Utilities: Have responded with no objection to the proposal and have requested conditions be attached requiring a foul and surface water drainage scheme to be submitted with any future reserved matters planning application, along with specific information that this should include. They also suggest a condition is attached to secure a management and maintenance plan for the sites drainage system for the lifetime of the development.
23. NHS: No comments have been received.
24. Lancashire County Council (Education): Have responded to the consultation and more details of their response is provided later in this report. In summary, six additional secondary school places will be required as a result of this proposal, generating a required contribution from the developer of £138,370.50.

PLANNING CONSIDERATIONS

Principle of development

25. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
26. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
27. The proposal is located within the settlement of Wheelton as covered by Local Plan Policy V2 where there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies of the plan.
28. The Central Lancashire Core Strategy was adopted in July 2012 and covers the three neighbouring authorities of Chorley, South Ribble and Preston. The three authorities are a single Housing Market Area (HMA).
29. Core Strategy Policy 1 sets out the locations for growth and investment across Central Lancashire. Wheelton is not identified as a Rural Local Service Centre, therefore, criterion (f) is applicable. Under this criterion, 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.
30. The proposed development of up to 40no. dwellings is not considered to be small scale. The proposal is also not redevelopment; therefore, the proposal does not accord with the development plan strategy for the area and is contrary to criterion (f) of Policy 1 of the Core Strategy.
31. Core Strategy Policy 4 sets out the minimum housing requirements for the plan area and is assessed later within this report.

Other material considerations

32. The National Planning Policy Framework (the Framework) is a key material consideration. The purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). There are three objectives to sustainable development set out at paragraph 8 and it is fundamental that development strikes the correct balance between:
- Environmental - the protection of our natural, built and historic environment
 - Economic - the contribution to building a strong and competitive economy
 - Social - supporting strong, vibrant and healthy communities
33. Paragraph 10 of the Framework states that; so that sustainable development is pursued in a positive way, at the heart of the Framework is a presumption in favour of sustainable development (paragraph 11).
34. Paragraph 11 of the Framework states for decision-taking this means:
- c) approving development proposals that accord with an up-to-date development plan without delay; or
 - d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:
 - a. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - b. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
35. The Footnote (6) to paragraph 11 sets out examples of the type of policies that may indicate development should be refused. Footnote 7 makes clear that the tilted presumption in favour of sustainable development will apply where a Local Planning Authority cannot demonstrate a five-year supply of deliverable housing sites.
36. Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes.
37. Paragraph 60 of the Framework reinforces that requirements represent the minimum number of homes needed.
38. Paragraph 73 of the Framework requires Local Planning Authorities to maintain a supply of deliverable sites sufficient to provide a minimum of five years' worth of housing against their housing requirement set out in adopted strategies or against their local housing need where the strategic policies are more than five years old. Footnote 37 states in circumstances where strategic policies are more than five years old, five year housing land supply should be calculated against Local Housing Need calculated using the Government standard methodology, unless those strategic policies have been reviewed and found not to need updating.

Housing land supply

39. The following planning appeal decisions are of relevance.

**Land adjacent to Blainscough Hall, Blainscough Lane, Coppull
Decision APP/D2320/W/21/3275691**

40. On the 3 February 2022 a decision was issued for the appeal for Land adjacent to Blainscough Hall, Blainscough Lane, Coppull. The appeal was allowed and outline planning permission was granted for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping and vehicular access points from Grange Drive.

41. The main issues in the appeal were:
- Whether or not the Council can demonstrate a 5 year supply of deliverable housing land, having particular regard to the development plan, relevant national policy and guidance, the housing need or requirement in Chorley and the deliverability of the housing land supply;
 - Whether or not the most important policies of the development plan for determining the appeal are out of date, having particular regard to the 5 year housing land supply position and relevant national policy;
 - Whether this, or any other material consideration, would justify the proposed development on safeguarded land at this time.
 - Whether or not there are adequate secondary school places to serve the development.
42. In respect of the Housing Requirement in Chorley:
43. The Decision Letter includes an assessment of Core Strategy policy 4 (which sets out the minimum housing requirements for the plan area) in the context of Paragraph 74 of the Framework, and whether the policy has been reviewed and found not to require updating. It also considers whether the introduction of the standard method in itself represents a significant change in circumstances that renders Core Strategy policy 4 out of date with reference to the PPG (paragraph 062).
44. The Decision Letter concludes that it is appropriate to calculate the housing requirement against local housing need using the standard method due to the significant difference between the local housing need figure and the housing requirement in policy 4 amounting to a significant change in circumstances which renders Policy 4 out of date.
45. With regards to the appropriate housing requirement figure to use when calculating the housing land supply position of the authority, the Blainscough Hall Inspector, therefore, sets out that the standard method should be used. Applying this to the Council's current supply results in a housing land supply position between 2.4 and 2.6 years.
46. The Inspector concluded that as such the Council can no longer demonstrate a 5-year supply of housing land meaning that the tilted balance, and presumption in favour of sustainable development was, therefore, engaged under paragraph 11(d) of the Framework.

Land to the East of Tincklers Lane, Tincklers Lane, Eccleston PR7 5QY Appeal A Ref: APP/D2320/W/21/3272310

Land to the North of Town Lane, Town Lane, Whittle-Le-Woods PR6 8AG Appeal B Ref: APP/D2320/W/21/3272314

47. On the 18 February 2022 decisions were issued for the above appeals. Appeal A was allowed and outline planning permission was granted for the construction of up to 80 dwellings with all matters reserved aside from vehicular access from Doctors Lane. Appeal B was dismissed on grounds of highway safety.
48. The main issues in the appeals were:
- Appeal A: Whether or not the proposal integrates satisfactorily with the surrounding area with particular regard to patterns of movement and connectivity Appeal B: The effect of the proposal on highway safety including accessibility of the appeal site.
 - Whether or not the Council is able to demonstrate a five-year supply of housing land;
 - Whether or not the most important policies of the development plan are out of date; and,
 - Whether any adverse effects, including conflict with the development plan as a whole, would be outweighed by other material considerations.
49. In respect of housing land supply:

50. The Inspector for the conjoined appeals assessed Core Strategy Policy 4 against Paragraph 74 of the Framework which requires the local planning authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their requirement as set out in adopted strategic policies, or against their local housing need when strategic policies are more than five years old. The Core Strategy is more than five years old.
51. The Inspector considered MOU1 to have constituted a review of Core Strategy Policy 4 and was an up-to-date assessment of need at that point in time but that the situation moved on considerably since it was signed.
52. Paragraph 44 of the Inspector's report notes that national guidance indicates local housing need will have considered to have changed significantly where a plan was adopted prior to the standard method being implemented based on a number that is significantly below the number generated by the standard method. The implications for Chorley would result in an annual requirement of 564 dwellings and the CS figure would be significantly below this. In this instance, Chorley's local housing need has changed significantly.
53. The Inspector noted that the standard method figure is particularly influenced by the level of development in the area between 2009 and 2014 but considers that this does not necessarily render the standard method itself as invalid. Any proposed redistribution of standard method figures for the Central Lancashire authorities, such as MOU2, would need to be considered at an examination.
54. The Inspector considered oversupply and the delivery rates of housing, which was weighted towards the early years of the plan period. However, the requirement in Policy 4 itself is not expressed as an overall amount to be met over the plan period. Policy 4 does not refer to any potential oversupply despite the known potential of Buckshaw Village contributing to growth in Chorley and it clearly states that it is a minimum annual requirement. (paragraph 49)
55. Paragraph 50 of the Inspector's report states *"the inclusion of oversupply against Policy 4 would reduce the requirement for Chorley to just over 100 dwellings per annum. This would be considerably below anything which has been permitted in previous years in the area and would even be below the redistributed standard method figures for Chorley in MOU2. I consider it would be artificially low and would in greater probability, lead to significantly reducing not only the supply of market housing but also affordable housing within the area. It would thus run counter to the objective of the Framework to boost the supply of housing and to paragraph 74 of the same, which seeks to maintain the supply and delivery of new homes."*
56. The Inspector concludes at paragraph 51 of the report that; *"in the circumstances before me having regard to both MOU1 and MOU2, I conclude that the situation has changed significantly for Chorley in respect of local housing need and that Policy 4 is out of date. The standard method is the appropriate method for calculating housing need in Chorley. It is agreed between the parties that a 5% buffer should be applied. In terms of sites which contribute to the housing land supply within Chorley, there is a very narrow area of dispute between the two main parties which relates to only 2 sites and amounts to 116 dwellings. This is a marginal number that has little effect on the result in respect of the requirement. Accordingly, against the application of the standard method there would be less than three years supply of housing land in Chorley, and I conclude that the Council is unable to demonstrate a five-year supply of deliverable housing sites."*

**Land south of Parr Lane, Eccleston
Decision APP/D2320/W/21/3284702**

57. On the 17 March 2022 a decision was issued for the appeal for Land south of Parr Lane, Eccleston. The appeal was allowed and outline planning permission was granted for up to 34 dwellings and associated infrastructure on land south of Parr Lane, Eccleston,

Lancashire in accordance with the terms of the application, Ref 20/01193/OUTMAJ, dated 4 November 2020, and the plans submitted with it, subject to the conditions.

58. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply as born out through recent appeal decisions, the main issue in the appeal was whether there were any material considerations that would justify dismissing the appeal.
59. The Inspector concluded the following with regards to housing land supply:

“Framework paragraph 11d indicates that where the most important policies for the determination of a proposal are out-of-date, (which includes applications for housing, where the LPA cannot show a 5-year HLS), permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole; the tilted balance.

The most important policies for determining this appeal are CS Policies 1 and 4 and LP Policy BNE3. Whilst the proposal would be consistent with CS Policy 1, it would conflict with LP Policy BNE3, safeguarding land for future development. The LPA accepts that it cannot show a 5-year HLS and as such CS Policy 4 and LP Policy BNE3 are out-of-date. Taking the development plan as a whole, the most important policies for determining this appeal are out-of-date and the tilted balance applies.

The proposal would provide for up to 34 dwellings of which 35%, would be affordable homes (CS Policy 7). Given the absence of a 5-year HLS, the proposal would make, albeit a modest one, a material contribution to meeting local housing needs. As a benefit this attracts significant weight. The development would secure economic benefits through construction investment and the contribution future occupants would make to the local economy. These benefits attract moderate weight. The site has limited biodiversity value and the development has the potential to provide biodiversity net gain. This is a benefit of limited weight. Given my assessment above, the harm arising from the conflict with LP Policy BNE3 is significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework as a whole.”

**Land off Carrington Road, Adlington
Decision APP/D2320/W/21/3284692**

60. On the 17 March 2022 a decision was issued on the above referenced appeal. The appeal was allowed and outline planning permission was granted for residential development of up to 25 dwellings on land off Carrington Road, Adlington, Lancashire PR7 4JE in accordance with the terms of the application, Ref 20/01200/OUTMAJ, dated 5 November 2020, and the plans submitted with it.
61. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply as born out through recent appeal decisions, the main issue in the appeal was whether there were any material considerations that would justify dismissing the appeal.
62. The Inspector concluded the following with regards to housing land supply:

“Framework paragraph 11d indicates that where the most important policies for the determination of a proposal are out-of-date, (which includes applications for housing, where the LPA cannot show a 5-year HLS), permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the Framework taken as a whole, the tilted balance.

The most important policies for determining this appeal are CS Policies 1 and 4 and LP Policy BNE3. Whilst the proposal would be consistent with CS Policy 1, it would conflict with LP Policy BNE3, safeguarding land for future development. The LPA accepts that it cannot show a 5-year HLS and as such CS Policy 4 and LP Policy BNE3 are out-of-date. Taking

the development plan as a whole, the most important policies for determining this appeal are out-of-date and the tilted balance applies.

The proposal would provide for up to 25 dwellings of which 30%, would be affordable homes (CS Policy 7). Given the absence of a 5-year HLS, the proposal would make, albeit a modest one, a material contribution to meeting local housing needs. As a benefit this attracts significant weight. The development would secure economic benefits through construction investment and the contribution future occupants would make to the local economy. These benefits attract moderate weight. The site has limited biodiversity value and the development has the potential to provide biodiversity net gain. This is a benefit of limited weight. Given my assessment above, the harm arising from the conflict with LP Policy BNE3 is significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework as a whole.”

Summary - the tilted balance

63. Paragraph 11 d (ii) of The Framework essentially comes into play whereby the most important policies for determining an application are out of date, then planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
64. Policies 1 and 4 of the Central Lancashire Core Strategy are the most important policies for determining the planning application.
65. At 1st April 2022 there was a total supply of 1,890 (net) deliverable dwellings which is a 3.3 year deliverable housing supply over the period 2022 – 2027 based on the annual housing requirement of 569 dwellings which includes a 5% buffer.
66. Chorley does not have a five-year deliverable supply of housing plus 5% buffer and the shortfall is significant. Significant weight should therefore be attached to the delivery of housing provided by this proposal and that 35% of the dwellings would be affordable houses.
67. In light of the above, Policy 4 of the Core Strategy is out of date and the tilted balance is, therefore, engaged.
68. The High Court decision [Gladman Developments Limited v Sec of State for Housing, Communities and Local Government and Corby Borough Council and Uttlesford District Council [2021 EWCA Civ 104] concerned the application of para 11d of the Framework and the tilted balance. In particular, the effect of footnote 7 in this case, where there was not a five year housing land supply, was simply to trigger paragraph 11(d) and that it did not necessarily render all policies out of date. It was noted that where 11(d) is triggered due to the housing land supply position it is for the decision maker to decide how much weight should be given to the policies of the development plan including the most important policies and involve consideration whether or not the policies are in substance out of date and if so for what reasons.
69. Policy 1 of the Core Strategy sets out the settlement strategy for the area and is not out of date. That said, the Council cannot demonstrate an adequate supply of housing and the shortfall is significant. Policy 1 of the Core Strategy therefore forms part of a strategy which is failing to deliver a sufficient level of housing. As such, the policy should only be afforded moderate weight in the planning balance.
70. In accordance with the Framework, planning permission should be granted for the proposal, unless:
 - c. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
 - d. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Emerging Central Lancashire Local Plan

71. Once adopted, the Central Lancashire Local Plan (CLLP) will replace the existing joint Core Strategy and Chorley Local Plan. The CLLP is at an early stage of preparation with the current stage being the consultation on Preferred Options between 19th December 2022 and 24th February 2023.
72. The application site (19C271x: Land off Blackburn Road, Wheelton) was put forward for consideration for housing use as part of the CLLP Preferred Options consultation.
73. As set out above, the existing Core Strategy Policy 1: Locating Growth sets out the locations where growth and investment will be concentrated across Central Lancashire. The emerging CLLP will look at the distribution of new homes and the CLLP will be informed by an evidence base including a Housing Need and Demand Study, the results of which will also help to inform the future distribution of housing across the Plan area.
74. Given the embryonic stage of the CLLP it can only be given limited weight in the planning balance.

Central Lancashire Statement of Common Ground – Intended Housing Requirement and Distribution

75. The Statement of Common Ground (SoCG) sets out the housing requirement to be consulted on in the Central Lancashire Local Plan and is informed by the Central Lancashire Housing Need Assessment. It has been signed by the portfolio holders responsible for the Local Plan across the three Councils following endorsement by the Joint Advisory Committee on 25th July 2022.
76. Chorley Council adopted the SoCG as a material consideration for use in decision making at the General Purposes Committee on 7th September 2022. The weight to be attached to the SOCG in making decisions on planning proposals is for the decision maker.
77. The SoCG sets out a housing requirement of 334 dwellings a year for Chorley for the first five year period of the Local Plan (2023-2028). The housing supply against this requirement is 5.4 years. It is considered that the SoCG can only be given limited weight in the planning balance, given the embryonic stage in the adoption process of the emerging Local Plan.

Impact on ecological interests

78. 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. The policy also requires, among other things, that where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs. The policy is considered to be consistent with the Framework and should be attributed full weight.
79. The sections below provide a summary of the applicant's assessment which has been agreed as acceptable by the Council's ecological advisors.

Protected species – great crested newts and reptile species

80. In accordance with current Natural England guidance (Natural England, 2015) all ponds within an unobstructed 500 metres of a site should be considered for their suitability to support breeding great crested newts. There are no such ponds in this instance and so no further surveys for amphibian species is necessary.

81. The regularly disturbed and heavily managed habitats within the site provide poor quality habitat for sheltering, basking and hibernating reptiles. There are no piles of garden waste or other suitable debris for use by sheltering or hibernating reptiles, and the site supports no favourable habitat for basking reptiles. The species-poor habitats within the site are reasonably unlikely to support a large populations or a variety of invertebrate prey. The site is not adjacent or linked to any areas of favourable habitat for reptile species, and there are no records of reptile for the site or the wider area. The presence of reptiles within the site is reasonably discounted.

Vegetation and habitats

82. The site contains only common and widespread plant species. In terms of each habitat's importance in a geographical context, the hawthorn shrubs and hedgerow are considered to be of 'local' importance as they support habitats of value to nesting birds and foraging birds and bats, and will contribute as wildlife links across the wider area. The poor semi-improved grassland is not considered to hold any importance in terms of its geographical context.
83. Hedgerow 1 located along Blackburn Road is Priority Habitat. Due to its low average number of woody species however it does not meet the criteria to be 'important' in accordance with The Hedgerows Regulations 1997 Wildlife and Landscape criteria. No other habitats are Priority Habitats.
84. None of the habitats within the site are of significant interest in terms of their plant species composition. None of the habitats present are representative of semi-natural habitat. The NVC (National Vegetation Classification) communities present are typical of the geographical area and conditions present.
85. The presence of Montbretia, an invasive species listed under Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) has been detected within the site. It is considered that the proposals present an opportunity for the eradication this species as part of the proposed development. This can be controlled by planning condition.
86. It is accepted that the proposals will require the removal of a section of Hedgerow 1 at the northern site boundary within the site access location illustrated on the constraints plan; it is recommended that retained sections of Hedgerow 1 are protected throughout the development process, and compensatory hedgerow is planted and managed in the long term for the benefit of biodiversity. This can be controlled by planning condition.
87. The proposal presents an opportunity to enhance the wildlife potential of the site for foraging and commuting bats, Priority Species of bird associated with the habitats present within the site and for hedgehog by the planting of native species of trees and shrubs and by incorporating bat boxes and bird boxes into the design of the site. Again, this can be controlled by planning condition.

Protection of nesting birds

88. The ecological assessment identifies that the young trees and hedgerow are all suitable for use by nesting passerine (i.e. perching) species, including those detected within the site during the survey. The field unit is not considered suitable for ground nesting species due to its proximity to busy roads and high levels of disturbance.
89. The Council's ecology advisor recommends that no tree felling or vegetation clearance that may be required by the scheme should take place during the optimum period for bird nesting (March to August inclusive), unless a survey has first taken place. All nesting birds their eggs and young are specially protected under the terms of the wildlife and Countryside Act 1981 (as amended). This can be controlled by planning condition.

Protection of bats

90. No trees were found that support any features suitable for use by roosting bats. The poor semi-improved grassland within the site is unlikely to provide an abundance or diversity of invertebrate prey and is, therefore, considered to be of 'low' suitability for use by foraging bats. The hedgerow is considered to be suitable foraging habitat for bat species and provides habitat connectivity across the site and the wider area.
91. The Council's ecological advisor has not recommended any conditions in this regard, although an informative note will be attached to any grant of planning permission to outline the developer's responsibilities should they encounter a protected species during works at the site.

Ecology summary

92. The proposal is considered to be acceptable in terms of its impacts upon ecological receptors, subject to conditions to safeguard protected species and delivery of a net gain in the biodiversity value of the site.

Impacts upon designated heritage assets

93. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the principal duty that a Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Great weight and importance is attached to this duty.
94. The National Planning Policy Framework 2021 (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It recognises that heritage assets are an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations. The following paragraphs contained therein are considered to be pertinent in this case:
95. The Framework at paragraph 197 states that in determining applications, local planning authorities should take account of:
 - a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
 - b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
 - c) the desirability of new development making a positive contribution to local character and distinctiveness.
96. At paragraph 199 the Framework provides that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
97. At paragraph 200 the Framework confirms that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of: a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional; b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.
98. Paragraph 201 states that where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss

is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.

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

100. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:

- a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
- b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
- c) Identifying and adopting a local list of heritage assets for each Authority.

101. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:

- a) Applications affecting a Heritage Asset or its setting will be granted where it:
 - i. Is in accordance with the Framework and relevant Historic England guidance;
 - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
 - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;
- b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following:
 - i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
 - ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
 - iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
 - iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
 - v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
 - vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.

102. The policy also states that development involving the demolition or removal of significant heritage assets or parts thereof will be granted only in exceptional circumstances which

have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.

Assessment

103. The application site lies south of grade II listed Black Lion Farm at 176 Blackburn Road, built mid-C18 and constructed from sandstone rubble with a slate roof. Numerous other grade II listed buildings are located near the site, including the War Memorial Clock Tower, Hill House, Wallcroft Farmhouse and 12-14 Albert Street.
104. The key issue for consideration is whether the proposed development will harm the significance of the grade II listed no.176 Blackburn Road and attached barn and the other listed buildings in the area. The Council's heritage advisors, Growth Lancashire, have reviewed the proposal and have commented as follows:

"Black Lion Farm at No. 176 Blackburn Road is a farmhouse built around mid C18. The house is constructed from coursed sandstone rubble and the barn attached to the right-hand side, which is included in the listing, is constructed from random rubble, both structures have slate roofs and brick chimneys. The house is double depth, with two bays extended to three by an addition on the left. It has two storeys with a chimney positioned at the original gable end on the left. The doorway is located centrally in the original portion of the house with a plain surround. The original portion has two, 3-light windows on each floor which were formerly flush-mullioned but have been altered to casements; the added bay to the left has one similar window on each floor, each window has a prominent stone header. The barn to the right is on a lower level and is slightly stepped out. It has an entry door located on the left, four windows on the ground floor and two windows on the first floor, all with stone headers and sills. No.176 Blackburn Road and its attached barn's significance lies in its aesthetic, evidential and historic value found in the site's fabric, architectural form, and past agricultural uses.

The application is for the erection of up to 40 dwellings on a site located to the south of 176 Blackburn Road. A selection of the houses will face outwards towards Blackburn Road, set back behind a landscaped green space and the existing hedgerow. One house will be positioned in line with the existing house at 190 Blackburn Road. The access point to the housing development will be located on Blackburn Road. The Design and Access Statement notes that: the development will be of a character which maintains and enhances the quality of the landscape and will be in keeping with local vernacular. The scheme will have buildings that are a mix of 2, 3 and 4 bed houses which will predominantly be two-storey. However, bungalows will be positioned to the east of the site, next to Ryefield, to respect the scale of the existing bungalows.

Wheelton is characterised by a diverse range of buildings; both single and two storey semi-detached and detached buildings and also terraced properties. The area surrounding the application site includes a variety of buildings; including modern bungalows, semi-detached and detached housing and more traditional semi-detached, detached and terraced housing. The buildings are constructed from a mix of materials, including red brick and stone, with some properties being rendered. The buildings immediately alongside and opposite No.176 Blackburn Road are a mixture of modern developments, with more traditional properties being located further along the road. The modern day setting to the building is now a sub-urban/village one.

The proposed scheme maintains the scale, massing, orientation and building proportions of the existing buildings which should help minimise any impact on its surroundings. The scheme proposes to position the houses along Blackburn Road so that they respect the existing building lines and create a seamless continuation of street frontages. The Heritage Statement notes that sympathetic materials and designs will be used to be in keeping with the character and appearance of the local area.

Historic England's Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017) describes setting as being the surroundings in which a heritage asset is

experienced. It discusses how views can contribute to the significance of an asset and the importance of relationships between buildings. The application site is not immediately adjacent to the listed building, it lies south and is offset by 35 metres. Historic mapping shows that the application site has remained untouched since mid-C19. Although the open setting of the application site helps maintain an aspect of the listed building's original setting, I do not think it substantively contributes to its significance. Additionally, the setting of the listed building has already been significantly compromised by modern housing which is closer in proximity to the listed building than that proposed at the application site.

The housing facing onto Blackburn Road in the proposed scheme is a continuation of the building line already seen along the street and will be set back from the roadside, making the impact on the setting of the listed building less significant. Overall, the aesthetic, evidential and historic value found in the site's fabric, architectural form, and past agricultural uses remains intact. As previously noted, the other four Grade II listed buildings near the application site will not be impacted by the scheme due to the lack of a visual connection and as such I do not feel the setting to these buildings to be affected or harmed in any way.

Overall, I do not feel that the proposed scheme will cause any substantive harm to the contribution made by the setting to the significance of 176 Blackburn Road and the significance of the listed building will be preserved.

As I am required to do so, I have given the duty's imposed by s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments. I consider the proposal would meet the statutory test 'to preserve' the significance of the designated heritage asset and the contribution made by its setting. Therefore, no balancing exercise is required as per NPPF P.202. As such, the proposal meets the objectives of Chapter 16 of the NPPF and accord with the policy BNE8 of the Local Plan."

105. The case officer agrees with the conclusions of the Council's heritage advisor and the proposal complies with the aforementioned policies relating to safeguarding the historic built environment.

Archaeology

106. The Council's archaeology advisors have stated that the site does not have a high potential for any archaeological features to be present and therefore do not consider that any archaeological investigation of the proposed development site is necessary.

Impact on trees

107. Policy BNE10 (Trees) stipulates, among other things, that proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows. The policy is considered to be consistent with the Framework and should be attributed full weight.
108. An Arboricultural Impact Assessment (AIA) accompanies the application. It details that small sections of two boundary hedges are required to facilitate access to the site. It also states that without suitable controls, the proposal may indirectly impact other areas. Mitigation measures in the form of protective fencing and tree, shrub and hedge planting is also proposed.
109. The Council's Tree Officer have commented that the implementation of this proposal would result in the removal of two sections of hedgerow and should development of this site progress, they recommend an appropriate Arboricultural Method Statement and Tree Protection Plan are produced and adhered to, to minimise any negative impact on the group of hawthorn within the site and the retained trees off site. This could be controlled by a planning condition. The biodiversity net gain proposals based upon the indicative site

layout identify improved hedge provision within the site, along with other enhancement measures, including tree planting, that will form part of a landscaping scheme at reserved matters stage. The proposal is considered to be acceptable in this regard.

Highway safety, access and parking

110. 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. The policy is considered to be consistent with the Framework and should be attributed full weight.
111. Policy ST1 (New provision of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development) of the Chorley Local Plan 2012 -2026 stipulates that new development and highways and traffic management schemes will not be permitted unless they include appropriate facilities for pedestrian, cycle parking facilities, and /or cycle routes. The policy requires, among other things, that proposal should provide for facilities for pedestrians and cyclists to facilitate access on foot and by bicycle to nearby residential, commercial, retail, educational and leisure areas, where appropriate; and additional footpaths, bridleways and cycleway routes between the countryside and built up areas where appropriate.
112. Highway safety and access issues have been one of the main concerns expressed by residents during the publicity period. Lancashire County Council is the Local Highway Authority that manages and maintains the highway network in Lancashire and promotes safe travel and developments in accessible and sustainable locations within the county. As such, at certain stages in the planning process Chorley Council formally seeks the views of the County Council as a statutory consultee to assist in making an informed decision about proposed development. The following summarises comments received from LCC Highway Services.

LCC Highway Services Comments

Sustainable Travel

113. The site is situated within a village setting and as such has reasonable sustainable transport links with bus stops on Blackburn Road less than 120 metres west of the proposed site access. The route to the bus stops is straightforward and gives access to an hourly bus service from 06:28 to 18:48, Monday to Friday with a reduced service on Saturday and no service on Sundays. These bus stops also provide school bus stop locations during term time. The lack of evening and Sunday services is a concern however given the scale of the development proposal no s106 monies are sought as the monies required to enhance the existing service would be disproportionate to the scale of the development and not sustainable long term. Instead, the developer should consider making access to the current bus stop location attractive and accessible for all users.
114. To access public transport pedestrian traffic generated by the proposed development would travel along in a south westerly direction on either side of the carriageway dependent on the desired bus stop. To get from the south-eastern footway to the north-western footway pedestrian traffic driven by the proposed development would not have a clear location to cross. There are no parking restrictions along Blackburn Road in between the proposed site access and the two existing bus stops, this combined with little private driveways for the existing properties fronting Blackburn Road results in on street parking. Any pedestrians wishing to cross Blackburn Road would have no clear location to cross and would have to do so in between parked cars, this could be unsafe and discourage sustainable travel. Promoting sustainable travel is a requirement of all developments as outlined in the

National Planning Policy Framework (the Framework). To promote sustainable travel an uncontrolled crossing will be needed to allow for enhanced visibility for pedestrians attempting to cross Blackburn Road and for road users to identify pedestrians.

115. The existing bus shelters whilst of an older nature are deemed to be acceptable and serve the needs of pedestrian traffic driven by the site. The existing kerb provision at the existing bus stops do not meet the requirements as determined by Lancashire County Council to conform with the Equality Act 2010, which could be a barrier to sustainable travel for pedestrian traffic created as a result of the proposals. Therefore, the enhancing of the existing bus stop to meet the Equality Act 2010 requirements would need to be provided for by the development. It should be noted that due to the age of the existing bus shelters, installation of quality bus stop kerbing could cause irreparable damage to the shelters therefore requiring replacement of the bus shelters. If either of the bus stops needed to be re-sited, then replacement bus shelters would be required again due to the irreparable damage caused to the shelters.
116. Less than 300 metres from the site to the west is the primary school "St Chad's Catholic Primary School". The route from the site to the primary school is relatively straight with minimal road crossing required. The existing footway widths on the north-western side of Blackburn Road are of a satisfactory width, the footway width on the south-eastern is satisfactory from the proposed site access to the school junction, from this point to the school the footway widths are in Lancashire County Council Highways opinion unsatisfactory. As a result, it is reasonable any pedestrian traffic as a result of the proposed development would require a crossing point to reach the north-western footway of Blackburn Road. Failure to provide a safe and clear crossing point with tactile paving provision could result in becoming a barrier for sustainable travel, this would result in the proposals not meeting the requirements set out in the National Planning Policy Framework (the Framework). The crossing point could be incorporated with the crossing point required for the existing bus stops. From the original additional information supplied a refuge island was proposed to facilitate pedestrian movements across Blackburn Road. After discussions between LCC Highways and the transport consultant it was agreed to change this to a kerb buildout to reduce the impact on available on street parking. The works would be carried out via a section 278 agreement.
117. To the east of the proposals is Wheelton village centre which has a range of amenities associated with a village. It is reasonable to assume that any pedestrian traffic generated by the proposed development would travel to Wheelton village centre to access the existing public house, cafes or village shop would travel along the south-eastern footway. The footway widths are acceptable until the "Red Lion" public house where the footway narrows to below what is acceptable, this however, is deemed to be the result of the nature of Wheelton and is not possible to be remedied. Along this route there is a wide junction (junction of Blackburn Road & Ryefield) crossing with dropped kerbs directing pedestrians into the centre line of Blackburn Road. For the proposals to meet sustainable transport requirements of the Framework enhancements at this junction will be required to help pedestrians caused by the proposed development to path find into the village centre. To achieve this, new dropped kerbs directing pedestrians to the other side of the junction along with tactile paving provision will need to be introduced.
118. From information provided on LCC's internal mapping system "Mapzone" there is an advisory cycle route along Blackburn Road and Town Lane to the west which allows for cycle access to Whittle-le-Woods from which access to Chorley Centre can be achieved. As promoting sustainable travel is a requirement of all developments as outlined in the Framework a signing scheme from the proposals to Whittle-le-Woods and back will be necessary, this will help any cycle traffic created because of the proposed development navigate to a key destination for employment, leisure and health. Due to the distance the signs would need to indicate distances not minutes and should be based on the guidance produced by Transport for London, "London Cycling Design Standards". Doing so will promote sustainable travel (cycling) from the proposal residential development.

Highway Safety

119. From anecdotal observations during the PM peak site visit, it was noticed vehicles traveling from the east intending to join Blackburn Road from Blackburn New Road (A674) had a higher demand for the existing right turn refuge than is currently provided. As the observations were only made during a single site visit, it was not known whether this was a rare occurrence or if this is a regular feature of the Blackburn New Road & Blackburn Road junction. A traffic study at this location was, therefore, requested to identify whether the additional demand on this junction as a result of the proposals will impact the highway safety on Blackburn New Road which is a high-speed A road.
120. A traffic study was undertaken by the applicant to the satisfaction of LCC Highways. The study alleviated LCC Highways concerns regarding the potential highway safety issues of the right turn lane onto Blackburn Road from Blackburn New Road. Whilst it was recorded that queues did occur within the right turn lane for Blackburn Road from Blackburn New Road, these did not exceed 4 car lengths at the worst and cleared in a time that LCC Highways find acceptable. Therefore, it is LCC Highways opinion that the proposed development would not have an unacceptable impact on the continued safe use of the junction.

Construction Traffic

121. Given the sensitive nature of the area surrounding the proposed development care will be needed regarding the planning and management of construction traffic were the proposals to go ahead. Due to the historic nature of the hamlet/village of Wheelton any construction traffic would need to use the western junction of Blackburn New Road & Blackburn Road (the junction closest to the development site). Unfortunately, by using this junction this would put construction traffic in direct conflict with vulnerable road users during the morning and evening peaks.
122. As this western junction also serves as the primary route for access to the local primary school during the morning and evening peak there is a significantly high vehicle and pedestrian volume. A Traffic Management Plan would need to be prepared that considers the points raised in this section.

Conclusion

123. To meet the requirements of Sustainable Transport the development would need to provide for an uncontrolled crossing (with tactile paving provision) over Blackburn Road to help pedestrian traffic created because of the proposals to path find the existing bus stop on the north-western footway and the existing primary school. In the opposite direction enhancements to the Blackburn Road and Ryefield junction will be required (realigned dropped kerbs and tactile paving provision) to assist pedestrians arising from the proposed residential development navigate to Wheelton Village centre.
124. As Blackburn Road and Town Lane are identified as an advisory cycle route to Whittle-le-Woods and from there to Chorley, a route signage scheme to and from Whittle-le-Woods is required. This will assist in cycle traffic caused by the proposals navigating to a demand centre and make cycling a more attractive option. The existing bus shelters whilst old still serve their purpose adequately, the current kerbing provision however does not. To meet sustainable transport requirements of the Framework an upgrade to Equality Act 2010 compliant kerbs will be needed. This will help pedestrians coming from the proposed development to access public transport, thus promoting sustainable transport by making it a more attractive option. The new site access and associated off-site works (as outlined above) will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact the Community Services before works begin on site. The applicant has agreed to implement the above measures as part of the proposed development.

Independent Transport Assessment

125. The Council has commissioned an independent review of the transportation issues associated with some of the major housing applications currently awaiting decision, by a transport planning consultancy. A short summary of their assessment of this application is provided below:

“A number of offsite improvements have been requested by LCC which are outlined as follows:

- *Cycle Routes – Provide signage for the advisory cycle route that exists between Wheelton and Whittle le Woods.*
- *Bus Shelters – Provide improvements to the existing bus shelters on Blackburn Road to ensure that meet modern standards, protect travellers from inclement weather and work to make bus travel more attractive.*
- *Pedestrian Improvements – Provide kerb buildouts on Blackburn Road to be delivered alongside works to create the site access.*

The applicant has agreed to deliver these improvements in full.

We would consider that these improvements would have a positive effect in improving the site accessibility by sustainable modes of transport. However, they could conceivably go further.

Pedestrian Access

Access to the development site is via Blackburn Road. This has footways on both sides but they are narrower than the minimum 2m width recommended by Manual for Streets, the design guidance developed by the Department for Transport to create better quality public spaces.

The site is within easy walking distance of local amenities in the centre of Wheelton, although the range of provision within the village is limited. The St Chads Primary School is approximately 300m away from the site, and continuous footways along the route make for easy walking trips between the school and the proposed development.

The A674 has a footway on the northern side of the carriageway, but this again, is less than 2m wide, reducing the comfort and safety of the route for pedestrians. Enhancements to existing footways in terms of widening, dropped kerbs and formal/informal crossing points would enhance the current level of provision.

Cycling

The site lies approximately 4.5km from Chorley town centre. According to the Chartered Institute of Highways and Transportation (CIHT), most cycle journeys are between 3km and 8km. The site is within a comfortable distance of the town centre by bicycle. A number of large employment sites in Preston and Buckshaw Village are also located within 5km of the proposed development.

However, there is currently no dedicated cycling infrastructure close to the site. Lancashire County Council (LCC) have noted in their comments on the application that an advisory cycle route exists between Wheelton and Whittle le Woods, but no signage currently exists to inform cyclists of its location.

We would highlight that as well as the signing of the route, steps should be taken to improve its overall quality. Advisory cycle lanes fall well short of the latest design standards for cycle infrastructure set out in LTN 1/20. New cycle links with an appropriate degree of segregation from general traffic should be explored to capitalise on the sites proximity to key destinations.”

Conclusion

126. The comments from the independent review of the scheme suggest that the mitigation measures identified by LCC Highway Services and agreed with the applicant are insufficient. Enhancements to existing footways in terms of widening, dropped kerbs and formal/informal crossing points have been suggested, along with improved cycle infrastructure. They note that advisory cycle lanes fall well short of the latest design standards for cycle infrastructure set out in LTN 1/20. LTN 1/20 is a Local Transport Note produced by the Department for Transport which provides guidance to local authorities on delivering high quality cycle infrastructure.
127. Paragraph 110 of the Framework identifies that in assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that:
- a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location;
 - b) safe and suitable access to the site can be achieved for all users;
 - c) the design of streets, parking areas, other transport elements and the content of associated standards reflects current national guidance, including the National Design Guide and the National Model Design Code; and
 - d) any significant impacts from the development on the transport network (in terms of capacity and congestion), or on highway safety, can be cost effectively mitigated to an acceptable degree.
128. As discussed earlier within this report, Wheelton is not an area identified as suitable for the scale of development proposed. The provision of safe and accessible means of sustainable transport connections as alternative to the car is, therefore, an important factor in determining the acceptability of the proposal. As the applicant has appealed to the Planning Inspectorate against the Council's non-determination of the planning application, there is not the possibility of negotiating the additional suggested mitigation measures.
129. In light of the above, the proposal conflicts with paragraph 110 of the Framework in terms of providing safe access for pedestrians and a sufficient level of cycling infrastructure that accords with national guidance outlined in LTN 1/20. The proposal also conflicts with policies BNE1 and ST1 of the Chorley Local Plan 2012 to 2026 in this regard.

Impact on the character and appearance of the area

130. Policy 17 of the Core Strategy seeks to ensure that the design of new buildings takes into account the character and appearance of the local area, including among other things, linking in with surrounding movement patterns and not prejudicing the development of neighbouring land; and protecting existing landscape features and natural assets. The policy is considered to be consistent with the Framework and should be attributed full weight.
131. 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, among other things, 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.
132. The proposal is submitted in outline with the appearance, landscaping, layout and scale of the proposal being left to reserved matters stage. As such, these aspects do not form material considerations in the determination of this application. That said, an illustrative site layout has been submitted in support of the proposal which shows the south western end of the site remaining largely undeveloped and used for public open space with tree planting and footpaths. There is a water-main beneath this section of the site and so its development for housing may be problematic. The rest of the site layout plan is shown as being developed for dwellings with at least two of which being bungalows. Dwellings are

shown as semi-detached, detached and terraced dwellings. Vehicle parking is shown to the front of dwellings, gardens to rear and roads branching from a main spine road. The pattern and density of development is similar to that of the adjacent Ryefield estate. A pedestrian connection is shown to connect the scheme with the Ryefield development.

133. It is considered that the site is capable of accommodating a scheme similar to that identified on the illustrative site layout plan that would comply with the above referenced policies relating to character, appearance, scale and design.

Impact on amenity

134. 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. The policy is considered to be consistent with the Framework and should be attributed full weight.
135. With regards to noise, dust and other pollution during the construction period, these would be short in duration and limited in intensity. Such impacts could be adequately controlled through a construction environmental management plan (CEMP) which can be required to be submitted to the Local Planning Authority for approval prior to works commencing.
136. As noted above, the proposal is submitted in outline with the appearance, landscaping, layout and scale of the proposal being left to reserved matters stage. It is considered that this site is capable of accommodating a sensibly designed scheme of up to 40 dwellings that would not have any unacceptable impacts upon residential amenity and accords with national policy and policy BNE1 of the Chorley Local Plan in this regard.

Drainage and flood risk

137. Policy 29 (Water Management) of the Core Strategy seeks to improve water quality, water management and reduces the risk of flooding in a number of ways including, among other things, appraising, managing and reducing flood risk in all new developments. The policy is considered to be consistent with the Framework and should be attributed full weight.
138. Lancashire County Council as Lead Local Flood Authority is the responsible 'risk management authority' for managing 'local' flood risk which refers to flood risk from surface water, groundwater or from ordinary watercourses.
139. A Flood Risk Assessment and Drainage Strategy has been submitted with the application and reviewed by United Utilities and Lancashire County Council as Lead Local Flood Authority (LLFA). The site is in Flood Zone 1 (the lowest risk) as identified by the Environment Agency.
140. The Planning Practice Guidance (PPG) establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
- into the ground (infiltration);
 - to a surface water body;
 - to a surface water sewer, highway drain, or another drainage system;
 - to a combined sewer.
141. The flood risk assessment identifies that risks of flooding from surface water, fluvial flooding, flooding from canals, reservoirs, other artificial sources, groundwater, sewer and watermain and pluvial and drainage from the development itself is all low.

142. The proposed drainage strategy identifies that infiltration may be able to provide a drainage solution for surface water runoff generated by the site and soakaway testing will be required to be undertaken to demonstrate whether this would be possible.
143. Should infiltration not be feasible then it is proposed that a restricted discharge of surface water will be into the public sewer network that lies within Blackburn Road and attenuation provided within the developed site.
144. The foul water flows generated by the development will be collected by a piped system and discharged into the public sewer network that lies within Blackburn Road.
145. The Lead Local Flood Authority have recommended planning conditions requiring full details of a drainage strategy to be submitted based on evidence that the highest tier in the drainage hierarchy has been used and other associated conditions.
146. United Utilities state that, according to their records there is a water main within the site boundary and the applicant will be required to submit evidence as part of any reserved matters application to demonstrate trial holes have been undertaken to confirm the precise location of their infrastructure. United Utilities will require unrestricted access to operate and maintain the main. This can be attached as an informative note to any grant of planning permission. They also suggest conditions be attached to any grant of planning permission in relation to securing sustainable foul and surface water drainage at the site.
147. The proposal is considered to be acceptable in terms of surface and foul water drainage, subject to conditions.

Affordable housing

148. Policy 7 of the Central Lancashire Core Strategy requires 35% affordable housing to be provided on sites of 15 or more dwellings, or 0.5 hectares in size, in rural areas on sites in or adjoining villages. The proposal would provide a policy compliant level of affordable housing which would need to be secured by a s106 legal agreement.
149. There is an acute shortfall in the provision of affordable housing in the borough. This development would make a valuable contribute to the borough wide need for affordable housing which should be given significant weight in the planning balance, as identified in recent appeal decisions in the borough.

Public open space

Amenity Greenspace

150. Policy HS4A of the Chorley Local Plan 2012 - 2026 sets a standard of 0.73 hectares per 1,000 population.
151. There is currently a surplus of provision in Chorley North East in relation to this standard, a contribution towards new provision in the ward is, therefore, not required from this development. The site is also not within the accessibility catchment (800m) of any areas of amenity greenspace 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). A contribution towards improvements is, therefore, also not required from this development.

Provision for children/young people

152. Policy HS4A of the Chorley Local Plan 2012 - 2026 sets a standard of 0.08 hectares per 1,000 population.
153. There is currently a deficit of provision in Wheelton in relation to this standard, a contribution towards new provision in the settlement is therefore required from this development however there are no identified schemes for new provision.

Parks and Gardens

154. There is no requirement to provide a new park or garden on-site within this development.
155. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

156. There is no requirement to provide new natural/semi natural greenspace on-site within this development.
157. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments

158. There is no requirement to provide allotment provision on site within this development.
159. The site is not within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site, a contribution towards new allotment provision is therefore not required from this development.

Playing Pitches

160. A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The amount required is £1,599 per dwelling.
161. The total public open space financial contribution required from this development is as follows:

| | |
|----------------------|------------------|
| Amenity greenspace | = £0 |
| Equipped play area | = £0 |
| Parks/Gardens | = £0 |
| Natural/semi-natural | = £0 |
| Allotments | = £0 |
| Playing Pitches | = £63,960 |
| Total | = £63,960 |

Sustainability

162. 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 26th March 2015, which effectively removed the 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."

163. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Building Regulations 2022 have now been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

Education

164. Lancashire County Council Education have provided a contribution assessment for this development which can be summarised as follows:

Lancashire County Council is responsible for the provision of school places across the 12 county districts. The county has been facing significant increases in the birth rate at the same time as capital funding from the Department for Education has been significantly reduced.

In accordance with Lancashire County Council's 'School Place Provision Strategy', the following will apply:

Where the growth in pupil numbers is directly linked to housing development and existing school places are not sufficient to accommodate the potential additional pupils that the development may yield, Lancashire County Council would seek to secure developer contributions towards additional school places. Only by securing such contributions (which, depending upon the scale of development, may also include a contribution of a school site), can Lancashire County Council mitigate against the impact upon the education infrastructure which the development may have.

Latest projections for the local primary schools show there to be 247 places available in 5 years' time, with additional planning approvals expected to generate a demand for 1 further school place. With an expected pupil yield of 15 pupils from this development, we would not be seeking a contribution from the developer in respect of primary places.

Latest projections for the local secondary schools show there to be a shortfall of 51 places in 5 years' time. These projections take into account the current numbers of pupils in the schools, the expected take up of pupils in future years based on the local births, the expected levels of inward and outward migration based upon what is already occurring in the schools and the housing development within the local 5 year Housing Land Supply document, which already have planning permission.

With an expected yield of 6 places from this development the shortfall would increase to 57. Therefore, we would be seeking a contribution from the developer in respect of the full pupil yield of this development, i.e. 6 places.

Permanent expansion in secondary places:
 (£23,775 x 0.97)
 = £23,061.75 per place

£23,061.75 x 6 places = **£138,370.50**

Employment skills provision

165. The Central Lancashire Employment Skills Supplementary Planning Document (SPD) was adopted in September 2017. The SPD introduces Employment Skills Statements and provides clarity as to how this requirement relates to the relevant policies set out in the Core Strategy and Local Plan as well as the guidance set out in the Framework. The SPD goes on to state that one of Central Lancashire's priorities is to encourage economic growth within Central Lancashire that benefits the people and businesses in the three boroughs. The SPD seeks to;

- Increase employment opportunities by helping local businesses to improve, grow and take on more staff
- help businesses to find suitable staff and suppliers, especially local ones
- improve the skills of local people to enable them to take advantage of the resulting employment opportunities
- help businesses already located in Central Lancashire to grow and attract new businesses into the area

166. It is, therefore, recommended that a condition requiring an employment and skills plan is attached to any grant of planning permission.

Community Infrastructure Levy (CIL)

167. 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. This development will be CIL Liable on approval of the final reserved matters application.

Planning balance

168. Paragraph 11. d) ii. of the Framework indicates that, where the most important development plan policies for determining the application are out-of-date, planning permission should be granted, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; the tilted balance.

169. The adverse impacts of the development relate to its unsustainable location and insufficient level of proposed sustainable transport mitigation measures. The proposal conflicts with the development plan strategy for the area, born out through Policy 1 of the Central Lancashire Core Strategy and. Wheelton is not a settlement earmarked for significant development. The Framework indicates that the planning system should be genuinely plan-led.

170. The proposal would not provide a sufficient level of safe pedestrian access or cycle infrastructure and, therefore, conflicts with paragraph 110 of the Framework and policies BNE1 and ST1 of the Chorley Local Plan 2012 to 2026 in this regard. Given the unsustainable location of the site, these elements of the proposal can be attributed significant weight in the planning balance.

171. In terms of benefits, the provision of new housing would bring construction and supply chain jobs, places for the economically active to live, increased local spend and greater choice in the local market. These benefits have not been quantified and would apply to any housing development of this scale but are still considerable.

172. The scheme would deliver a policy compliant level of affordable homes to the area of which there is a significant shortfall across the Borough. The new affordable dwellings would provide homes for real people in real need.

173. The proposal would boost the supply of housing in a situation where there is no five-year supply and an under-provision of affordable housing and, as a result, moderate weight can be given to the economic and social benefits the proposal would deliver.
174. The provision of open space and its ongoing management and maintenance and the contributions to school places are neutral considerations because they are needed to make the development acceptable.
175. Although Wheelton has limited facilities reflecting its lowly position in the settlement hierarchy, there is a primary school, village shop, cafes and a public house within walking distance of the site. Wheelton is also well served by public transport with bus stops along Blackburn Road, less than 120 metres west of the proposed site access. The proposal would deliver improvements to the local highways network which would be secured by a S278 agreement, as follows:
- provision of an uncontrolled crossing (with tactile paving provision) over Blackburn Road to help pedestrian traffic to the existing bus stop on the north-western footway and the existing primary school;
 - enhancements to the Blackburn Road and Ryefield junction in the form of realigned dropped kerbs and tactile paving provision to assist pedestrians arising from the proposed residential development to Wheelton Village centre;
 - upgrading a route signage scheme to and from Whittle-le-Woods to assist in cycle traffic and make cycling a more attractive option; and
 - upgrading kerb provision at two bus shelters to meet sustainable transport requirements of the Framework and the Equality Act 2010 and upgrade the shelters to meet modern standards.
176. Whilst, the private vehicle would likely be used for many journeys to supermarkets, doctor appointments etc., alternatives exist and journeys to access services would not be long. The proposal includes some enhancements to sustainable transport options.
177. There is conflict with Policy 1 of the CLCS and the development plan overall, although the site is located within the defined settlement boundary. In terms of Policy 1, the overall strategy is consistent with the Framework in concentrating development in the most sustainable locations. That said, the policy forms part of a failing strategy as the Council cannot demonstrate an adequate supply of housing. As such, the policy is only afforded moderate weight.
178. The adverse impacts of the proposed development relating to the conflict with the development strategy and the lack of safe footway provision for pedestrians and cycling infrastructure would significantly and demonstrably outweigh the moderate economic and social benefits that the scheme would deliver.

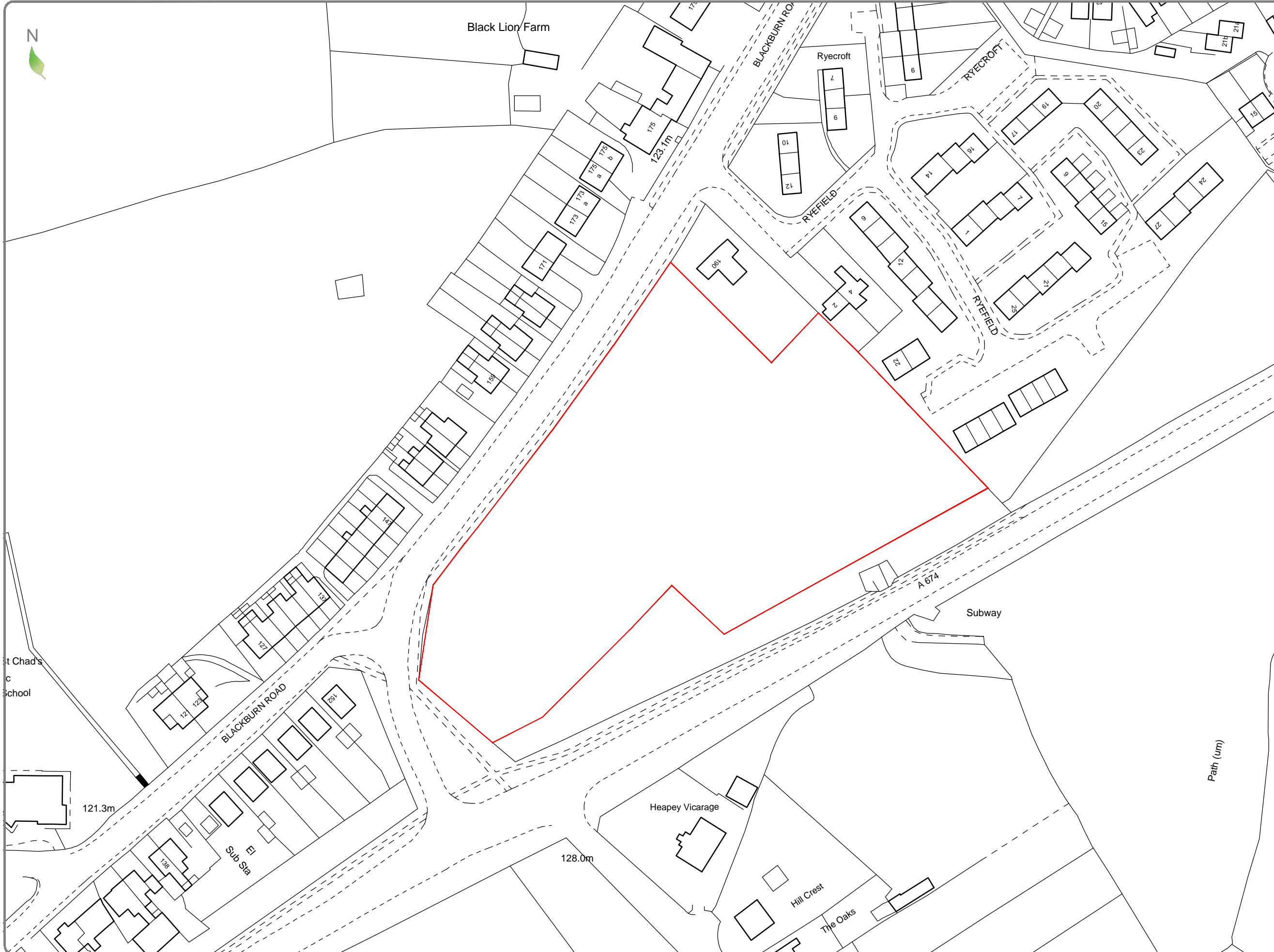
CONCLUSION

118. Members will be aware of the current shortfall in housing delivery in the Borough and the acceptability of this proposal is considered to be finely balanced.
119. The proposed development is contrary to policy 1 of the Central Lancashire Core Strategy 2012 because the application site is not within an area that has been identified for growth and investment. The only types of development that would be considered acceptable in smaller villages such as Wheelton will be typically small scale and limited to appropriate infilling conversion of buildings and proposals to meet local needs, the proposal does not meet any of these criteria. No exceptional reasons have been put forward to support a larger scale development scheme. The conflict with this policy can be attributed moderate weight in the planning balance.
120. The proposed development would not provide safe access for pedestrians and a sufficient level of cycling infrastructure. The proposal conflicts with paragraph 110 of the Framework

and policies BNE1 and ST1 of the Chorley Local Plan 2012 to 2026 in this regard. These policies are consistent with the Framework and so can be given full weight.

121. The proposal would deliver moderate economic and social benefits through the provision of new housing, however, on balance it is considered that the adverse impacts of the proposed development relating to the conflict with the development strategy and the lack of safe footway provision for pedestrians and cycling infrastructure would significantly and demonstrably outweigh the moderate economic and social benefits that the scheme would deliver.
122. It is possible that through the appeal process, the appellant may agree to deliver the suggested further improvements to footway and cycle infrastructure. However, at this time and in light of the above, it is recommended that the Planning Committee be minded to resolve to refuse outline planning permission for the proposed 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.



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| Revisions | | | | | |
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| Client | | | | | |
| Mr G & Mr J Blacklidge | | | | | |
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APPLICATION REPORT – 22/00989/FUL

Validation Date: 15 September 2022

Ward: Euxton

Type of Application: Full Planning

Proposal: Section 73 application to remove condition no.3 (permission tied to named parties and dwelling) of planning permission ref. 09/00177/COU (Retrospective application for the change of use of land used as residential curtilage and an additional area of agricultural land to a mixed use of the land for residential curtilage, agricultural land and the storage of 20 touring caravans)

Location: Park View Runshaw Lane Euxton Chorley PR7 6HD

Case Officer: Mike Halsall

Applicant: Mr & Mrs Mawdesley

Agent: Mr Richard Elliott, MacMarshalls Ltd

Consultation expiry: 27 October 2022

Decision due by: 10 February 2023 (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 in the Green Belt on land to the rear of a residential dwelling, Park View, which is located on the northern side of Runshaw Lane in Euxton. Vehicular site access is gained via Titebarn Lane, located to the east of the site. There are further dwellings located to the south west of the site, forming a row of ribbon development along Runshaw Lane, with Park View being the end property to the east, with farm buildings at the western end. The site perimeter is mostly lined with trees and surrounded by open agricultural land.
3. The site is roughly triangular shaped, tapering off towards its northern end, and consists mostly of maintained grassland with hardstanding for vehicular and pedestrian access to the stored caravans. Whilst the extant planning permission contains no restrictions on where the caravans can be stored at the site, they are currently stationed on sections of hardstanding on the eastern and northern part of the site, with the south western corner, located directly behind neighbouring dwellings on Runshaw Lane, being free of caravans and put to open grassland/lawn.
4. Planning appeal ref. APP/D2329/C/04/1150042 established that 10 caravans can lawfully be stored at the site as the use of land had become lawfully established and was, therefore, immune from enforcement action.
5. Planning permission was granted by the Council's Planning Committee in September 2009 (ref 09/00177/COU), against officer recommendation, for the change of use of land used as residential curtilage and an additional area of agricultural land to a mixed use of the land for residential curtilage, agricultural land and the storage of 20 touring caravans.

6. The committee report for the above planning application was clear that the proposal related to 20 caravans in addition to the 10 which can be lawfully stored at the site. Up to 30 caravans can, therefore, be lawfully stored at the site by virtue of the extant planning permission and the planning appeal decision.

DESCRIPTION OF PROPOSED DEVELOPMENT

7. The application seeks planning permission under Section 73 of the Town and Country Planning Act 1990 to remove condition no.3 of planning permission ref. 09/00177/COU, which reads as follows:

'The permission hereby granted for the storage of 20 additional touring caravans on the site shall only enure for the benefit of Mr and Mrs Mawdesley and shall cease if Park View and/or any of the land associated with the property is sold or transferred.'

Reason: The application was permitted on the basis of the individual 'very special circumstances' forwarded by the applicant Mrs A Mawdesley, to define the permission and in accordance with Policy No. DC1 of the Chorley Borough Local Plan Review.'

REPRESENTATIONS

8. Two representations have been received in objection to the proposal, raising the following issues:
- Concerned that if the naming clause is removed then it could potentially lead to a third party being involved of the property was to be sold or inherited
 - Fear of further development of the site, e.g. for housing
 - Unlikely other potential future owners would be as respectful and mindful of their neighbours as the current owners
 - As there is no restriction on where the caravans can be stored, future owners may store them directly behind the dwellings on Runshaw Lane, resulting in loss of privacy, fire risk, potential increase in criminal activity, noise and disturbance
 - Green Belt harm
 - Not aware of any changes to the very special circumstances which supported the original application
9. Eighty-six representations have been received in support of the proposal, raising the following points:
- There is shortage of such facilities in the area
 - Caravan owners would be forced to sell their caravans without the site remaining in use, some report that they are not allowed to keep caravans at their home address or do not have sufficient space for such
 - The approval of the application would allow the site to continue in its current use should the current owners retire or leave the property
 - Owners of caravans has increased in recent years with storage facilities not increasing proportionately
 - The sites situation is unique, and the Very Special Circumstances still remain
 - In the subsequent 13 years since 2009, there have been no new caravan storage facilities established in the Chorley area that could accept the 20 displaced caravans of the site has to close to comply with condition 3
10. With regards to some of the above comments, it is worth noting that this proposal does not relate to whether the site can continue to operate as a caravan storage facility, but rather whether it continues to operate with or without condition no.3 being attached.

CONSULTATIONS

11. Euxton Parish Council: Have responded in objection to the application, stating the following:

'The 2009 application was granted in green belt because of "very special circumstances". No indication has been given that the circumstances have remained "very special" and may be directly related to the current occupier. If conditions are changed in the application whereby the site is sold to another occupier, then green belt land will be used for inappropriate activity. Additionally, the site has been storing more than 30 caravans, seen on Google maps.'

PLANNING CONSIDERATIONS

Section 73 applications

12. Section 73 of the 1990 Act provides that developers can make "applications for planning permission for the development of land without complying with conditions subject to which a previous planning permission was granted". Where a developer makes a Section 73 application the Local Planning Authority is only permitted to consider the question of the conditions attached to the planning permission. If the application is granted then the developer has two planning permissions, either one of which could be implemented and developed out. If the application is refused the developer still has the benefit of the original planning permission. The key point is that an amendment must be able to be facilitated through the variation or deletion of a condition.

The original proposal

13. Green Belt planning policy has not significantly changed since the approval of planning application ref. 09/00177/COU, which is now as follows, at Chapter 13 of the National Planning Policy Framework (The Framework):

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.'*

14. The outside storing of caravans is a use of land which does not fall within any of the exceptions of the Framework and is, therefore, inappropriate development in the Green Belt and harmful by definition.
15. Whilst caravans are not considered to be 'buildings' in planning terms, they have a physical presence through their mass and volume, and this has been introduced across the site, which was previously largely open and free from built development. Caravans will come and go from the site, given the nature of the storage operations. The development, therefore, harms the openness of the Green Belt by a transient impact of both localised (within the site) and wider (from outside the site) visual and spatial impacts. It cannot, therefore, be reasonably concluded that the development preserves the openness of the Green Belt. It is also considered that the caravans result in encroachment of the countryside by introducing a physical presence to a once largely open site and the development, therefore, conflicts with one of the purposes of including land in the Green Belt. This view is consistent with a recent planning application which was refused by the Council (ref.21/01278/FUL) with a subsequent appeal to the Planning Inspectorate being dismissed (ref. APP/D2320/W/22/3293597).
16. Inappropriate development should only be approved in very special circumstances. 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.
17. Planning permission ref. 09/00177/COU was granted based upon the following very special circumstances which were identified in the committee report and determined by the Council's planning committee to outweigh the harm to the Green Belt and other harm. The circumstances below have been taken from the committee report for the aforementioned application:
 - Caravan storage has taken place on this site for 22 years without any traffic incidents
 - The land to be developed is within the residential curtilage of the property
 - The site will be configured to minimise visibility of the caravans to public view
 - Within a 400m radius of the site, there are other developments that do not fall within the scope of PPG2
 - A sand quarry is due to open nearby that will violate the openness of the Green Belt although the applicant accepts that quarrying can only take place where the raw material is located
 - The Land Design statement rebuts the argument that the development will be a major visual intrusion
 - A site audit of 66 caravans previously stored at Park View shows that 42 were from Chorley, 20 from Leyland and 4 from the surrounding area. Of these 66, 17 are still on site (this figure includes the 10 that can be lawfully stored), 22 have been sold, 13 have been moved to other storage sites out of the area and 9 are now being stored on private driveways
 - In caravan storage terms, this is a small-scale facility, but it would still provide a facility for the caravanning public of Chorley and would go some way to replace a lost facility
 - Caravans stored on secure sites are safer, at less risk from crime

18. In approving the application, the Council considered it necessary to attach condition no.3 which ties the planning permission to the applicants, Mr and Mrs Mawdesley. The Planning Committee delegated the imposition of planning conditions to the Corporate Director (Business) in consultation with the Chair.

The applicant's case for justifying the removal of condition no.3

19. The applicant's case for justifying the removal of planning condition no.3, as set out in their submitted Supporting Statement and subsequent correspondence from the applicant's agent, is summarised below:
- The condition does not meet the six tests (paragraph 55 of the Framework), i.e. necessary, relevant to planning, relevant to the development to be permitted, enforceable, precise and unambiguous.
 - In deciding to grant planning permission, the Council took into account all of the very special circumstances advanced to justify the storage of the additional caravans and considered the use acceptable having regards to them.
 - There is no change to the considerations other than the use has now been occurring for over 35 years, it is a very well-established business. Furthermore, there has been a surge in caravan ownership since the Covid pandemic and an increase in the need for secure storage facilities. Demand has grown significantly. Additionally, there have been no additional caravan storage sites opened in the area since permission was granted.
 - If the condition was removed it would result in no change to the use of the site, or how that use functions. There would be no effect on the openness of the Green Belt, no effect on visual amenity, no adverse impact on neighbour amenity, and no impact on highway safety. Equally as significantly, there is an existing and continuing lawful use for the siting of ten caravans that can be owned and/or operated by any individual, group or organisation. This significantly decreases the necessity for the additional 20 that were approved to be tied to Mr & Mrs Mawdesley.
 - It is not considered relevant to planning or relevant to the development permitted for the condition to state that the use should enure only for Mr & Mrs Mawdesley. The owner(s) of the site makes no difference to the use in land use planning terms. For the same reasons, it is also not considered pertinent to the permission to require the use to cease if Mr & Mrs Mawdesley sold their house or any other part of their land. The requirement does not fairly and reasonably relate to the development permitted.
 - The condition is clearly unreasonable insofar it is unduly restrictive, and onerous. It places an unnecessary and unreasonable burden on Mr & Mrs Mawdesley, which effectively ties them to their property, and does not enable them to sell or transfer any part of it unless the use of the land for the storage of the additional 20 caravans ceases. It is unreasonable to do this in any event, but particularly so in this case when it is clear that the use would be acceptable without such a condition. As described previously when commenting on the necessity of the condition, it is unreasonable to impose the condition which effectively ties Mr & Mrs Mawdesley to 20 of the caravans on site, when there is no restriction in respect of the other 10 over the site.
 - Importantly, since the previous decision there have been several caravan storage units closed in the area and no new business have been established. There is currently a high demand for storage and all of the current occupiers live within a five mile radius. Should for any reason the applicants be required to sell or transfer any part of Park View (including the house or any other element not covered by the permission) the storage of 20 caravans would be required to cease. This would mean that 20 local people would have to either sell their caravans or find alternative storage provision, most likely outside of the Borough. It would also support a case for providing a new storage facility somewhere else, which would make no sense given this use is and has been causing no issues for such a long period of time.
 - This condition was not requested by Members when recommending approval, it was subsequently imposed by the Corporate Director and the Acting Chair of planning that evening Cllr. Michael Devaney. This can be verified by Mrs Mawdesley who attended and spoke at the meeting, and is also referenced in the committee minutes. There was

no discussion by Members in relation to the imposition of this type of condition, or the reasons for it. They recommended approval without it.

- In a letter of representation received by the Council from Rural Futures Ltd, in which they provided their support to the application for a number of reasons, they stated that: “The closure of the site will require Mrs Mawdesley to either seek employment elsewhere or begin claiming benefits”. However, this was not one of the very special circumstances advanced by the applicant. It is necessary to stress that it was not one of the very special circumstances as identified in the committee report. It was referred to in a separate paragraph, correctly being referred to as being contained within a letter of support.
- In resolving to grant planning permission Members considered that very special circumstances were advanced to outweigh the finding of inappropriateness. Those very special circumstances still exist, and condition no.3 has been demonstrated not to meet the tests as set out in national planning policy and guidance.
- Should this condition remain, it will result in the loss of 20 caravan storage pitches that have and continue to provide a vital service to caravan owners within the Borough. The facility has existed for over 35 years and the pitches have been in constant demand ever since. The applicants have a waiting list, and can fill any vacant pitch within hours.
- The applicant has also provided a list of caravan sites within the Borough that are all at capacity or have closed.

Case officer assessment

20. Regardless of why condition no.3 was attached to the existing planning permission, for it be removed, Members need to be satisfied that the development delivers sufficient benefits to outweigh the harm caused by the development in Green Belt terms, without the condition. This means that very special circumstances still exist without the imposition of condition no.3, which ties the planning permission to the applicants.
21. The applicant has set out that there is a shortage of this kind of facility across the Borough which, should the applicants wish to sell the site or retire, would cease to operate if condition no.3 remains in place. The applicant states, as do many of those who have written in support of the proposal, that there has been a surge in caravan ownership since the Covid pandemic and an increase in the need for secure storage facilities. Further, other facilities have closed since the planning permission was granted and no new facilities have come into use. It is, therefore, considered that very special circumstances exist, without the imposition of condition no.3, to outweigh the harm caused by the development.

Other issues

22. It is not considered that the proposed removal of condition no.3 would result in any other impacts than those identified above, e.g. residential amenity, highway safety or drainage as the assessment of the acceptability of the proposal is limited to the principle of the proposed development in the Green Belt.

CONCLUSION

23. Application ref. 09/00177/COU was approved on the basis of very special circumstances having been demonstrated by the applicant to outweigh the harm to the Green Belt caused by the development. The proposed removal of condition no.3 of the planning permission would not change the associated impacts of the existing approved development. Further, the need for such facilities appears to have increased since the approval of the original planning permission. Very special circumstances are, therefore, considered to exist to outweigh the harm caused by the development. The application is, therefore, recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 04/00279/COU **Decision:** REFEUD **Decision Date:** 28 April 2004
Description: Change of Use of land from residential to private leisure and caravan park

Ref: 05/00198/COU **Decision:** REFFPP **Decision Date:** 6 April 2005
Description: Change of Use of land from residential to caravan storage area

Ref: 07/00453/COU **Decision:** REFFPP **Decision Date:** 18 July 2007
Description: Retrospective application for the change of use of residential curtilage and a further parcel of land to enable the storage of 25 additional caravans

Ref: 09/00177/COU **Decision:** PERFPP **Decision Date:** 18 September 2009
Description: Retrospective application for the change of use of land used as residential curtilage and an additional area of agricultural land to a mixed use of the land for residential curtilage, agricultural land and the storage of 20 touring caravans

Ref: 19/00167/CLPUD **Decision:** PERPUD **Decision Date:** 10 June 2019
Description: Application for a certificate of lawfulness for the proposed siting of a mobile home to provide ancillary accommodation and associated hard surfacing.

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

Suggested conditions

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

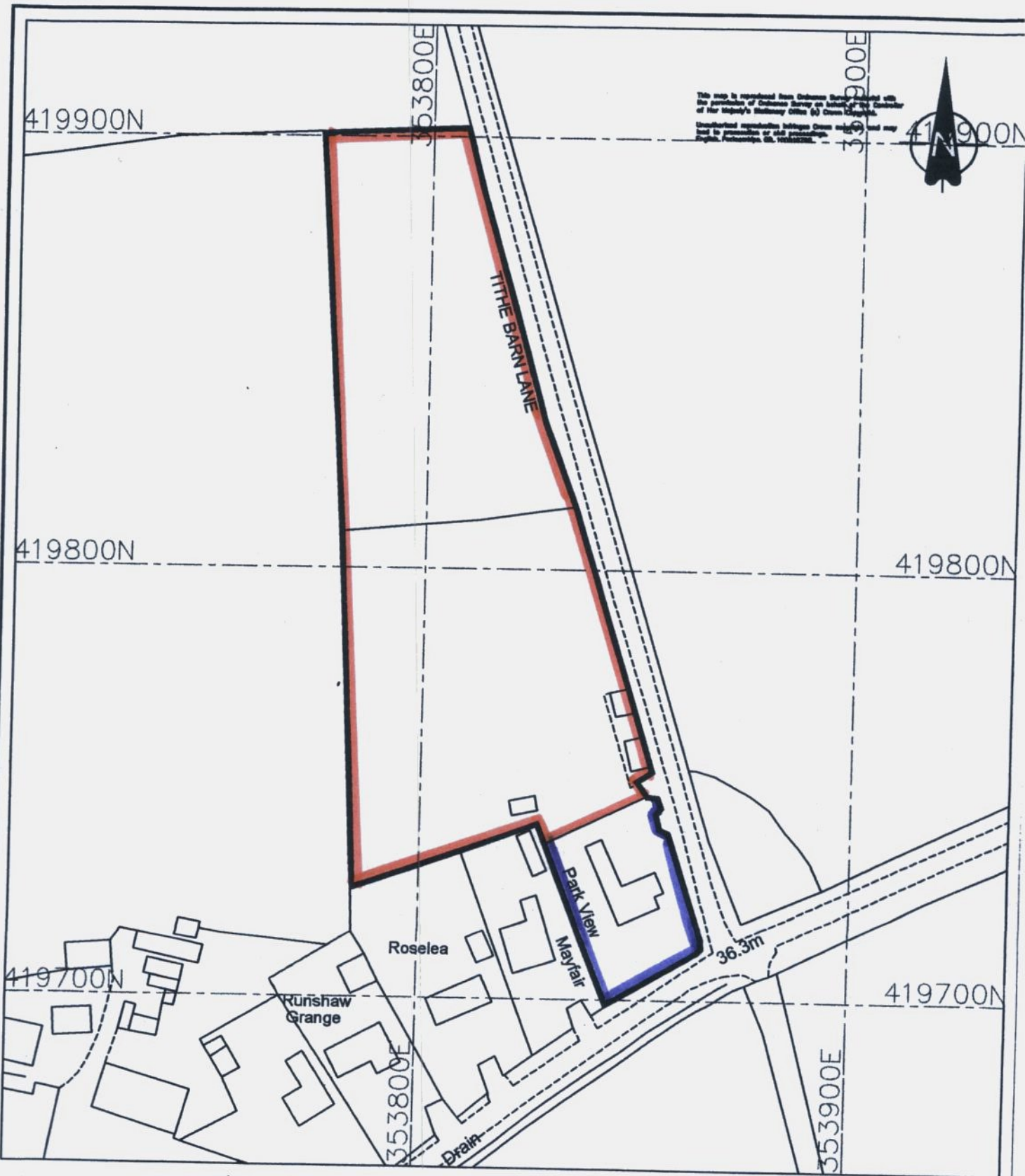
| Title | Plan Ref | Received On |
|--|-----------------|--------------------|
| Proposed Caravan Storage Park View Runshaw Lane Euxton | N/A | 9 March 2009 |
| Proposed Storage for 30 no. Caravans for Mrs A Mawdesley | 098/05 A | 30 October 2009 |

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

2. The permission hereby granted is for the storage of 20 touring caravans on the site which shall only be stored in the positions highlighted green on the approved site plan received by the Local Planning Authority on 30 October 2009 and dated 5th May 2009 (Drg No. 098/05 A). The permission hereby granted does not include the storage of mobile homes and/or camper vans or any other form of vehicle, boat, trailer or otherwise.

Reason: In order to retain control over these items which are, by their very nature, inclined to be transient.

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1.001 Hects (approx 2.47 Acres)

| | | | |
|--------------------------|-----|--------|------|
| TITLE | | | |
| PROPOSED CARAVAN STORAGE | | | |
| PARK VIEW | | | |
| RUNSHAW LANE | | | |
| EUXTON | | | |
| DRG NO. | REV | SCALE | SIZE |
| | | 1:1250 | A4 |

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APPLICATION REPORT – 22/00164/FUL

Validation Date: 5 April 2022

Ward: Croston, Mawdesley And Euxton South

Type of Application: Full Planning

Proposal: Erection of 3no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings

Location: Wilbrook Blue Stone Lane Mawdesley Ormskirk L40 2RG

Case Officer: Mike Halsall

Applicant: Mr Simon Malcolm

Agent: Mr Christie McDonald, Steven Abbott Associates LLP

Consultation expiry: 17 November 2022

Decision due by: 10 February 2023 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £402 for the provision of public open space.

SITE DESCRIPTION

2. The application site is located within the Green Belt and is comprised of a detached dwellinghouse and its curtilage, and land which has lawful domestic use that has been confirmed through the granting of a certificate of lawfulness. The land is occupied by various buildings and associated hard standing. To the rear of the site is agricultural land, and the site is viewed in the context of linear development of residential properties along Blue Stone Lane.
3. The site falls to be considered as previously developed land, as defined in the National Planning Policy Framework (the Framework) at Annex 2.
4. Planning permission was refused on 9 December 2020 by the Council's Planning Committee, against officer recommendation, for the erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings on this site. The reason for refusal was as follows:

Due to the number of dwellings proposed and the regimented layout, with a cramped arrangement of parking and hardstanding areas which dominate the scheme, the proposal would result in overdevelopment of the site, to the detriment of the character and appearance of the area. The design of the proposed development is, therefore, contrary the National Planning Policy Framework, the Core Strategy and Policy BNE1 of the Chorley Local Plan 2012 – 2021.

5. An appeal against the Council's refusal to grant planning permission was subsequently dismissed by the Inspector.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The application seeks planning permission for the erection of 3no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings.
7. The applicant has sought to overcome the previous reason for refusal by lowering the density of the proposed development by reducing the number of proposed dwellings from 4no. to 3no. and proposing a variety of dwelling designs.

REPRESENTATIONS

8. One representation has been received in support of the proposal.

CONSULTATIONS

9. Greater Manchester Ecology Unit: Initially responded to recommend that the ecological assessments undertaken in support of the previous planning application are reviewed and updated as necessary in support of the current application. Such an assessment was undertaken, and the findings submitted in support of the application. The Council's ecological advisors subsequently responded with no objection to the proposal, subject to conditions.
10. Lancashire County Council Highway Services (LCC Highway Services): Initially responded to recommend the refusal of the planning application on highway safety grounds unless adequate sight lines and a new footway could be provided. The applicant subsequently revised the submitted drawings to the satisfaction of LCC Highway Services who responded with no objection to the proposal, subject to conditions.
11. Mawdesley Parish Council: Have responded in objection to the proposal, stating that *"This is a clear example of building on greenbelt land placing greater demands on rural roads, utility networks in addition to experiencing the irreversible loss of countryside."*
12. United Utilities: Have responded with their template letter suggesting conditions be attached to secure the sustainable drainage of the site and informative notes for the applicant with regards to United Utilities' assets.

PLANNING CONSIDERATIONSPrinciple of development in the Green Belt

13. 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.
14. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
15. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 149 of the Framework of development that need not be considered inappropriate development in the Green Belt is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

16. Whilst the test for 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 an existing building on the site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
17. To engage with the exceptions of paragraph 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.
18. This part of Mawdesley is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes."
19. Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.
20. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. At present, the site is occupied by a large detached bungalow and a number of associated outbuildings which are spread across the site, including a double access / driveway and associated hardstanding areas. The presence of this existing development already causes harm to openness by its mere existence; and case law has established that for there to be a greater impact, there must be something more than merely a change.
21. The proposal involves the demolition of all existing buildings which occupy the site, in order to offset the harm caused to openness which would arise from the proposed development. In volumetric terms, the proposed dwellings would have approximately 14% uplift in volume compared to the existing volumes provided in the application. It would, however, have a reduced footprint of approximately 8% compared to the existing buildings.
22. When considering the increase in volume, national policy allows for the replacement of a building provided, among other things, that they are not materially larger. The Council considers that a volume increase of up to 30% is not 'materially larger'. Accordingly, when applying this approach, the proposed volume increase of approximately 14% above existing volumes would not be a material increase, when considering the impact on the openness of the Green Belt.
23. The proposed dwellings would be spread across the site with two of one and a half storeys and one of two storeys in height. The existing buildings are approximately 2 metres lower in height. The proposed dwellings would have a relatively uniform layout with a smaller footprint, with the built form located closer to the road frontage, and gardens backing onto the fields. Although there would be a change in how the site appears visually, when taking the above factors into account it is not considered that the redevelopment of the site for 3no. dwellings would have a greater impact on the openness of the Green Belt than the existing development.
24. The proposal is considered to accord with exception (g) of paragraph 149 of the Framework and is not, therefore, inappropriate development in the Green Belt.

25. In relation to the scale of development in an 'other area' as identified by policy 1(f) of the Central Lancashire Core Strategy the proposed development is not major development and, therefore, falls to be considered small scale. As such it is considered that the proposed development is compliant with policy 1(f) of the Central Lancashire Core Strategy.

Impact on the character and appearance of the area

26. 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.
27. The site is already in domestic use as a single dwellinghouse with associated land and outbuildings which have a lawful domestic use. The appearance of the site is already residential, albeit there is only 1no. dwelling. The proposal includes 3no. detached dwellings set in a relatively uniform layout with each dwelling having its own vehicular access. The proposed dwellings would be set back from the road, but still providing a frontage.
28. As opposed to the previously refused proposal, this revised scheme offers a lower density layout with three dwellings of differing designs and appearances, whilst maintaining some consistent features (albeit house Type B and C are mirror images of one another). The dwellings feature sections of horizontal cladding to reflect the agricultural characteristics of the site and surroundings with feature gables to the front elevation. The design is consistent with that of nearby contemporary examples and the site layout is far less regimented than the previous proposal, whilst still respecting the general form of development in the surrounding area.
29. It is considered that this latest proposal overcomes the reason for refusing the previous planning application and it would not be harmful to the character and appearance of the area. The proposed development is considered to accord with policy BNE1 of the Chorley Local Plan 2012 -2026 in respect of design considerations.

Impact on neighbouring amenity

30. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, 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.
31. No neighbour objections have been received in relation to this proposal. Plot 3 / House Type C would be situated adjacent to the existing property known as 'Sherwood' which is a detached bungalow. It would be located slightly closer to this neighbouring property than the existing dwellinghouse. There is a habitable room window in the south facing elevation of Sherwood that faces the application site. The proposed position of House Type C would however ensure that this window does not directly face the side elevation of the proposed dwelling. Further, the window is a secondary window serving the bedroom, with the main, much larger window, being positioning to the front of the dwelling. There would, therefore, be no unacceptable impacts upon this window in terms of loss of light or outlook. There would be no habitable room windows at first floor in the side elevation of the proposed dwelling facing this neighbouring dwelling. In addition, there would be no breach of the 45 degree guideline when measured from the nearest habitable room to the rear elevation of Sherwood.

32. Other neighbouring dwellings are well separated from the application site so as to not be adversely impacted upon by overlooking, loss of privacy or overbearing effect.
33. Each proposed dwellinghouse would have sufficient private amenity space to carry out day-to-day domestic activities and would afford acceptable living conditions to future occupiers. Whilst House Types B and C on Plots 2 and 3 respectively would contain windows of habitable rooms in their facing side elevations, the positing of the dwellings being slightly offset would ensure privacy is maintained by them not directly facing one another.
34. The proposed development is considered to be a compatible use with neighbouring residential properties and would not give rise to adverse impacts of noise and disturbance given the small-scale domestic nature of the proposal.
35. The proposed development is considered to accord with the provisions of policy BNE1 of the Chorley Local Plan 2012 – 20126 in respect of amenity.

Highway safety

36. 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.
37. During the course of the application revised plans have been received to address the comments of LCC Highway Services, as explained earlier in this report. This includes the provision of sightlines and the provision of footways to the front of the site.
38. Each plot would have its own dedicated access point by improving the existing access points on Nook Lane (Plot 1) and Bluestone Lane (Plots 2 and 3). The provision of 2-metre-wide footways are required to satisfy the needs of the pedestrian safety given the 40mph speed of the road and to allow connectivity; and these are shown on the proposed site plan. These would be provided partially within the applicant's land due to the width of the existing highway. The access and highway works would be secured by condition and would also require an appropriate S278 agreement with LCC Highway Services.
39. Each proposed dwellinghouse would have 4no. bedrooms and parking provision for at least 3no. vehicles is provided per plot, in line with the Council's parking standards as set out in Appendix A of the Chorley Local Plan.
40. LCC Highway Services are satisfied with the proposal and it is considered to accord with policy BNE1 of the Chorley Local Plan 2012 - 2026 in respect of highway safety matters.

Ecology

41. 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.
42. The application is accompanied by various ecological surveys, having been updated at the request of the Council's ecological advisors and are summarised below, along with the Council's advisors' comments:

Bats

No change in circumstance was found on the site. Whilst no updated bat emergence surveys were carried out at an appropriate time of year, the updated daylight survey

confirmed that bats were still present in the bungalow. Whilst Natural England may still require updated bat emergence surveys, I am satisfied that the size of the roost is unlikely to have changed and that a licence will be issued. I therefore recommend a condition along the following lines is applied to any permission.

The demolition of the bungalow is likely to cause harm to common pipistrelle bats as identified in the Bat Emergence Survey report by Contract Ecology dated July 2020 and Bat, Barn Owl and Nesting Bird Survey v2 Envirotech Ref: 6145 dated September 2022 and shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or*
- b) a statement in writing form the relevant licensing body or the LPA to the effect that it does not consider that the specified development will require a license*

I recommend an informative along the following lines is applied to any permission regarding the demolition of the other buildings on the site with negligible to very low bat roosting potential.

Whilst the non-residential buildings to be demolished have been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

Great crested newts

The updated ecological appraisal found no change in circumstances relating to the three ponds within the zone of influence of the development. Whilst GCN are present in the wider landscape, the three ponds in question are isolated from other ponds and unlikely to have been colonised in the intervening two years. There is however a residual risk. I therefore now recommend reasonable avoidance measures during site clearance and construction. The details can be conditioned along the following lines.

Prior to any earthworks or vegetation clearance a reasonable avoidance measures method statement for amphibians shall be supplied to and agreed in writing by the LPA

Nesting birds

The updated report identified evidence that the bungalow had been utilised as nesting sites and that little owl were roosting in building 4 the shed. I therefore amend my previous recommendation of the 16th May 2022 to:

No works to trees, shrubs or hedgerows shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

Invasive species

Rhododendron and Cotoneaster were previously recorded on the site. As for the previous application, I am happy for this to be dealt with via an informative along the following lines.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Rhododendron ponticum and various Cotoneaster spp are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and enhancing the natural environment

My previous conclusions still apply. I would however advise that the proposed hedges utilise native species and that bird and bat boxes are included in the landscape scheme.

43. Having regard to the above, and the recommended conditions, it is not considered that there are any grounds to refuse planning permission on ecological grounds. The proposal is considered to comply with policy

Public open space

44. 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.
45. The Council does not seek contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches for schemes of fewer than 11 dwellings.
46. With regards to the provision of open space for children/young people, policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in Croston, Mawdesley & Euxton South in relation to this standard, a contribution towards new provision in the ward is, therefore, required from this development. The amount required is £134 per dwelling and so a total contribution of £402 is required, which will be secured through a S106 legal agreement.

Sustainability

47. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

48. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Since application ref. 22/00071/FUL, was determined, Building Regulations 2022 have been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This

exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

Drainage

55. United Utilities have been consulted on this application and raise no objections. They do, however, recommend drainage conditions in relation to surface water drainage and that foul and surface water should be drained on separate systems.

Community Infrastructure Levy (CIL)

56. 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

57. The proposal accords with the exception of paragraph 149 (g) of the National Planning Policy Framework and is not, therefore, inappropriate development in the Green Belt. The proposal would not be detrimental to the character and appearance of the area, nor would it adversely affect the amenity afforded to neighbouring residential properties. The proposed development would not prejudice highway safety and would not be detrimental to nature conservation interests or European protected species. The proposed development would make a contribution to the Council's housing land supply and this is a clear benefit of the scheme. The application is considered to accord with the relevant policies of the Development Plan and is recommended for approval, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 79/00694/FUL **Decision:** PERFPP **Decision Date:** 22 October 1979
Description: Kitchen/bathroom extension

Ref: 80/01151/OUT **Decision:** PEROPP **Decision Date:** 19 January 1981
Description: Bungalow to replace existing cottage

Ref: 81/00387/REM **Decision:** PERRES **Decision Date:** 19 May 1981
Description: Bungalow

Ref: 94/00195/FUL **Decision:** PERFPP **Decision Date:** 26 April 1994
Description: New vehicular access to from through drive

Ref: 18/01120/CLEUD **Decision:** PEREUD **Decision Date:** 29 July 2019
Description: Application for a Certificate of Lawfulness for an existing use comprising domestic use of building and land

Ref: 19/01050/FUL **Decision:** PEFPP **Decision Date:** 9 December 2020
Description: Erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings

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:

| Title | Plan Ref | Received On |
|---|-------------|------------------|
| Location Plan | 3719-20-16A | 25 May 2022 |
| Existing Site Plan | 3719-19-11 | 5 April 2022 |
| Proposed Site Plan And Street Scene | 3719-21-31J | 24 January 2023 |
| Proposed Two Storey Dwelling | 3719-21-33B | 11 February 2022 |
| Proposed 1.5 Storey Dwelling House Type B | 3719-23-35 | 24 January 2023 |
| Proposed 1.5 Storey Dwelling House Type C | 3719-21-30D | 24 January 2023 |

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

3. Prior to the commencement of any dwellinghouse hereby permitted details of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: In the interests of the appearance of the development in the locality.

4. No dwelling hereby permitted shall be commenced until all existing buildings on the site (as shown on drawing number 3719 19 11) are demolished in full and all resultant materials removed from the site.

Reason: The demolition of the existing buildings is necessary to make the development acceptable in the Green Belt as an exception to inappropriate development in the Green Belt as listed in paragraph 149 (g) of the National Planning Policy Framework and also in accordance with Chorley Local Plan 2012 - 2026 policy BNE5.

5. No demolition of the bungalow shall be commenced until the following has been submitted to the Local Planning Authority:

- a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
- b) a statement in writing from the relevant licensing body or the Local Planning Authority to the effect that it does not consider that the specified development will require a license

Reason: In the interests of nature consideration as bats, a protected species, were found to be present in the bungalow.

6. Foul and surface water shall be drained on separate systems.

Reason: To secure proper drainage and to manage the risk of flooding and pollution.

7. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface (if it is agreed that infiltration is discounted by the investigations); and

(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

8. No works to trees, shrubs or hedgerows 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 that appropriate measures in place to protect nesting bird interests on site.

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

9. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.

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

10. Prior to the commencement of the development hereby permitted, a scheme for the landscaping of the development and its surroundings shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

- the types and numbers of trees, hedges and shrubs to be planted, their distribution on site and those areas to be seeded
- details of paving and hard landscaped areas, to include materials and colour
- native species
- details of bird and bat boxes to be provided

All landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: In the interests of the appearance of the development in the locality and to provide biodiversity enhancement through landscaping of the site.

11. The car parking area and manoeuvring area the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least sub base before any development takes place within the site.

Reason: To ensure that provision is made for the storage of materials and contracting staff.

12. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

13. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

14. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

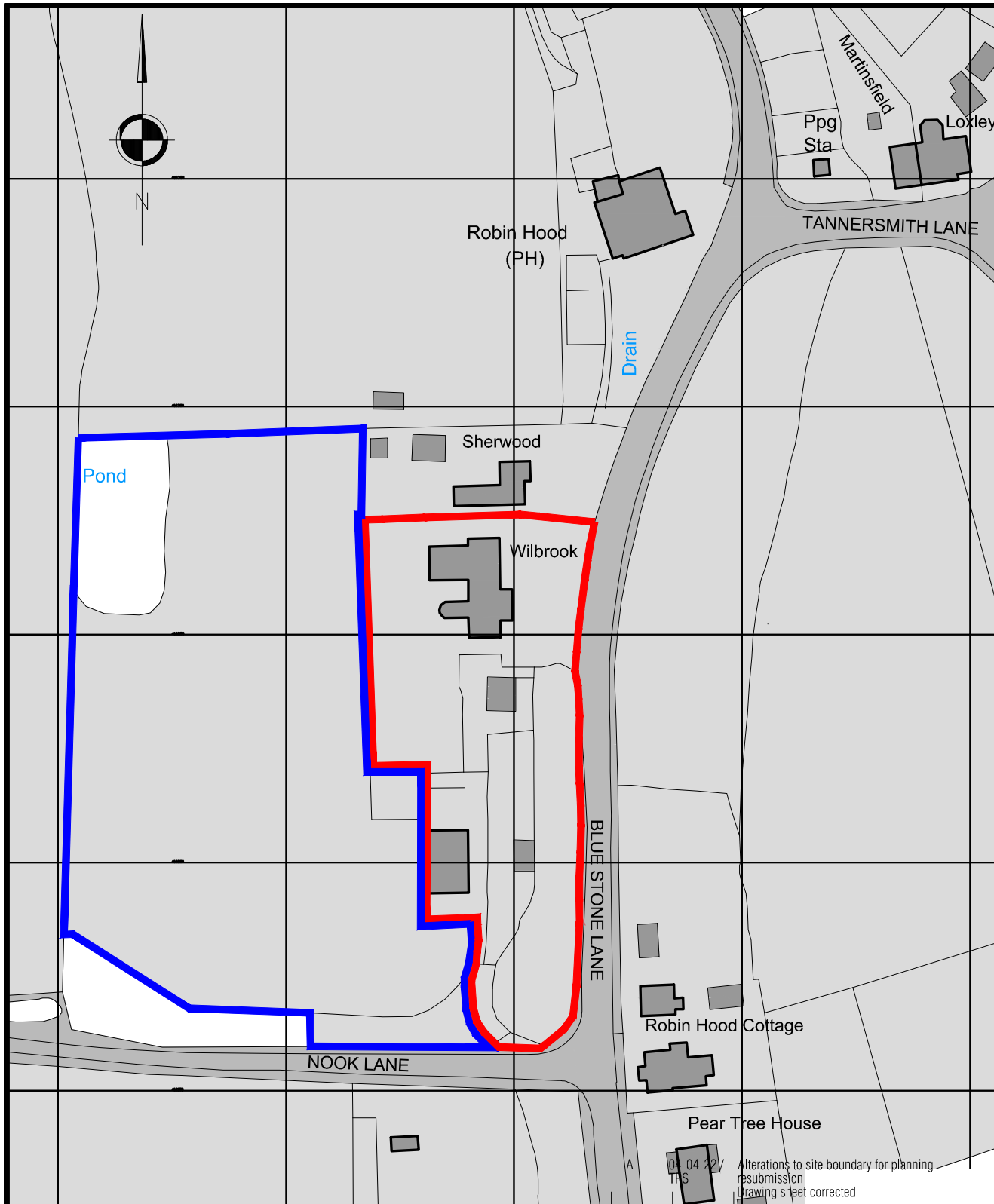
15. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the above condition has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority

Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.

16. Prior to any earthworks or vegetation clearance, a reasonable avoidance measures method statement for amphibians shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved method statement.

Reason: To safeguard a protected species.

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0.424 HECTARES

0.901 HECTARES

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|---------------|--|----------|--------------------|----------|-----------------|------------|
| Client | MR S MALCOLM | | | Revision | Date / Initials | Amendments |
| Project | WILBROOK BLUESTONE LANE MAWDESLEY L40 2RG | | | | | |
| Drawing Title | LOCATION PLAN | | | | | |
| Drawing No. | 3719-20-16A | Drawn By | MF | | | |
| Scale | 1:1250@A4 | Date | 13 MAR 2020 | | | |

04-04-22/TPS
Alterations to site boundary for planning resubmission
Drawing sheet corrected

CHARTERED ARCHITECT

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APPLICATION REPORT – 22/00851/FUL

Validation Date: 10 August 2022

Ward: Eccleston, Heskin And Charnock Richard

Type of Application: Full Planning

Proposal: Extensions and renovations to listed farmhouse, conversion of barn to two dwellings, demolition of former farm buildings and erection of two detached and two semi-detached dwellings

Location: Woodend Farm Parr Lane Eccleston Chorley PR7 5RL

Case Officer: Mike Halsall

Applicant: Mr Steve Wastell

Agent: Mr Chris Weetman, CW Planning Solutions Ltd

Consultation expiry: 16 December 2022

Decision due by: 10 February 2023 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £111,906 towards the provision of off-site affordable housing.

SITE DESCRIPTION

2. The application site is located in the Green Belt at the end of a 280m long access track to the north of Parr Lane (shown as Red Lane on some mapping), approximately 850m to the east of the defined settlement boundary of Eccleston.
3. The site contains a cluster of buildings consisting of Woodend Farm, a 17th Century grade II listed farmhouse, a curtilage listed barn with more recent extensions located to the north east of the dwelling and a further separate storage building located to the north of the dwelling. There is also an unauthorised detached garage which has recently been erected to the south east of the dwelling. Other than an agricultural building located immediately to the north of the application site, the site is surrounded by agricultural land.
4. The applicant has submitted evidence in the form of a sworn statement from the site owner which demonstrates that the extended barn and storage building have a lawful use for the storage of machinery and equipment associated with their construction contracting business and domestic storage associated with the farmhouse, respectively. This use took place between 2012 and 2022 and, on the balance of probabilities is, therefore, considered to be lawful. The application site and buildings, therefore, fall to be considered as previously developed land, as defined in the National Planning Policy Framework (the Framework) at Annex 2.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks planning permission for extensions and renovations to the listed farmhouse, the conversion of the barn to two dwellings, the demolition of the former farm

buildings and erection of two detached dwellings and two semi-detached dwellings. The unauthorised garage would also be demolished as part of the proposal.

6. The proposal has been amended numerous times following comments received from the case officer and the Council's heritage advisor in relation to Green Belt considerations and to limit the harm caused by the new dwellings upon the setting of the listed building.
7. A separate application for listed building consent has been submitted in parallel with this application, ref. 22/00852/LBC, for the works to the listed building and curtilage listed barn.

REPRESENTATIONS

8. Two objections have been received in relation to the proposal, raising issues of site access, an increase in traffic and pedestrian safety.

CONSULTATIONS

9. Lancashire County Council Highway Services (LCC Highway Services): Have responded with no objection to the proposal but have requested that the submitted drawings be revised to demonstrate that a turning head could be provided for refuse and emergency vehicles and passing places be provided along the access track. The submitted plans have been revised by the applicant to show the requested features. The final design of the passing places can be agreed through the discharge of a suitable worded planning condition.
10. Lancashire County Council Archaeology Service: Have responded to request a condition be attached to any grant of planning permission to provide a formal record of the buildings in advance of any alterations and that an archaeological watching brief should be maintained on the building works proposed for the interior of the house to enable recording of evidence for changes that are currently concealed beneath wall plaster.
11. Greater Manchester Ecology Unit: Have responded with no objection to the proposal and have suggested conditions be attached in relation to the protection of bats, amphibians, nesting birds and the provision of biodiversity enhancement measures.
12. Tree Officer: Have advised that there are mature trees around the site which given their stature would require protection if they are to be retained. Any tree removal should adhere to BS 3998:2010.
13. Waste & Contaminated Land Officer: Have recommended that due to the sensitive end-use of the development (residential housing with gardens), 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.
14. Environment Agency: No comments have been received.
15. United Utilities: Have responded with their template response which provides information for the applicant to ensure United Utilities' assets are protected.
16. Eccleston Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

Principle of development

17. The application site is located wholly within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

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

138. *Green Belt serves five purposes:*

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

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

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

- 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;..*
- 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;*

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

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

18. The proposal includes the extension of a building (the dwelling/farmhouse) (paragraph 149c exception), the redevelopment of previously developed land (paragraph 149g exception), and a barn conversion / re-use of a building (paragraph 150d exception). These elements of the proposal are therefore assessed separately and, in more detail, below.

Extension to dwelling

19. Policy HS5 of the Chorley Local Plan 2012-2026 reflects paragraph 149c of the Framework and states that permission will be granted for the extension of dwellings in the Green Belt provided that the proposed extension does not result in a disproportionate increase in the volume of the original dwelling.
20. Paragraph 55 of the Central Lancashire Rural Development SPD October 2012 states that the extension or alteration of dwellings may not be inappropriate in the Green Belt provided it does not result in disproportionate additions over and above the size of the original building. Proposals for extensions to dwellings in the Green Belt, which have an increase of over 50% of the volume of the original building or the building that stood in 1948, will not be considered favourably.
21. The proposed alterations to the farmhouse are mostly internal changes with the only notable external alterations being limited to window changes and a small single storey side extension. The proposed side extension would fall well within the allowable 50% threshold allowed under the SPD and would not, therefore, represent a disproportionate addition to the original dwelling.

Barn conversion

22. The application proposes to convert the existing barn to two dwellings, following the demolition of more modern extensions. The Central Lancashire Rural Development SPD (Oct 2012) provides additional guidance to that of the Framework on the re-use of buildings in the Green Belt.
23. Policy HS9 of the Chorley Local Plan 2012 – 2026 states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:

a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;

Existing extensions to the barn are to be demolished as part of the proposal and are included under the following section relating to the redevelopment of previously developed land. The proposed development includes the conversion of the barn with the only extensions relating to a small canopy over each front door. The Framework at paragraph 149 allows for 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. The guidance contained within the Council's Rural Development SPD provides that increases of up to 50% are not considered disproportionate. The proposed extensions would fall well within 50% of the volume of the existing barn and so would not be disproportionate additions and would not, therefore, have a materially greater impact on the openness of the Green Belt.

Further to the above, it is not considered that the proposal would conflict with any of the purposes of including land in the Green Belt.

b) The proposal would not harm the character or quality of the countryside or landscape;

The proposal is for the re-use of an existing building to two separate dwellinghouses. The site already has a somewhat domestic appearance as it is currently associated with the main dwellinghouse which would become split from the barn upon completion of the scheme. Views from the wider countryside would be seen in the context of the existing cluster of development and it is not considered that the proposal would be harmful to the character or quality of the countryside.

c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;

The agricultural use of the barn is believed to have ceased over 20 years ago and has until recently been in use for non-agricultural storage purposes. In any case, it is not of a size or design that is suitable for modern agricultural practices. Its conversion is not considered to be likely to result in additional farm buildings being required.

d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;

The building is no longer an agricultural building.

e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;

The building is of a permanent and substantial construction and capable of conversion without more than 30% reconstruction.

f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;

The building would largely retain its traditional character with minimal new openings and the main barn doors in the front and rear elevations proposed to be large feature windows. The existing extensions which detract from the character of the barn and somewhat hide the barn from view are proposed for demolition which would enhance the form and character of the building. The proposal is considered to be acceptable in design terms and would not be harmful to the visual amenities of the area. The curtilage formation is considered to be acceptable and not disproportionate to the size of the new dwellings.

g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;

The proposed development includes the utilisation of an existing access from Parr Lane and passing places would be provided, as requested by LCC Highway Services. There is adequate space for the provision of on-site parking in line with the Council's parking standards.

It is not considered that the proposed development would be detrimental to highway safety and would, therefore, accord with this criterion.

h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.

It is not considered that the proposal would be detrimental to nature conservation interests, as discussed later in this report.

Redevelopment of previously developed land

24. As previously noted, the storage use of the site is well established and falls within the definition of previously developed land specified at Annex 2 of the National Planning Policy Framework.
25. 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".
26. To engage with the exception of paragraph 145g 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.
27. 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.
28. 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 buildings. 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.

29. The proposal seeks to demolish the extensions to the barn and other detached buildings. Whilst the unauthorised garage proposed for demolition and the ruins of a further building have been included in the applicant's calculations (buildings B and J), these have been removed from the officer's calculations below, as there is no allowance for such buildings in planning policy terms.
30. The existing buildings to be demolished at the site have an approximate cumulative built volume of 2183.52 cubic metres and a built footprint of approximately 556.56 square metres. The proposed new development at the site would have a built volume of approximately 2924.72 cubic metres and a built floor area of approximately 479.3 square metres.
31. The proposal represents an approximate 30% increase in built volume and a reduction in floor space of approximately 15%. 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. 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. It is appreciated that in order to lessen the impact of the dwelling on Plot 2 on the settling of the listed farmhouse, the building has been relocated further to the south east which spreads the built development more widely across the site than currently. That said, on balance, it is considered that the sense of openness would be maintained by the proposal. As such the impact on openness when considering the site as a whole would be no greater than the existing development.
32. 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.

Green Belt Summary

33. The proposal falls within a combination of the exceptions of paragraphs 149c and g and 150d of the Framework and is therefore not considered to represent inappropriate development in the Green Belt.

Impact on designated heritage assets

34. 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."

Great weight and importance is attached to this duty.

35. Section 16 of 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.

36. 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.’

37. Policy BNE 8 of the Chorley Local Plan 2012 – 2026 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.’*
38. The proposal has been amended since its original submission following discussions with the Council’s heritage advisor to limit harm to the setting of the listed building and also to reduce the amount of glazing proposed in the extension to the listed building.
39. A summary of the Council’s heritage advisor’s comments are as follows:

The farmhouse

“Woodend Farm is an altered farmhouse building constructed in C17 and altered in C19. It is two storey with an L-shaped plan with a projecting two-bay crosswing at the left end, which was added later. Having seen the interior of the farmhouse whilst I am now largely content with the changes proposed to the interior of the listed building itself. The removal of the extensive dry lining found throughout the property will be a positive change. The proposed removal of internal walls and changes to the plan form will have little or no impact on the significance of the building. Any minimal impact is more than offset by the decision to remove the existing dry lined interior. All doors and windows should be changed to timber ones of a suitable design. The detail could be secured via a suitable worded condition.”

The barn conversion

“The barn is located within the curtilage of the Grade II listed Woodend Farm, situated to the east. The Heritage Statement notes the presence of a granary in the main house suggests the barn could be contemporary to the main farmhouse, however, it is possibly a later rebuild. There is no information within the listing which relates to the barn’s construction. Historic mapping shows that the main range of the barn has been extended since mid C19, appearing to have much of the same footprint we see today. The barn provides evidence of the farmhouse’s association with agriculture. The barn was inspected on 14th February 2018, it was noted as being semi derelict.

The proposed plans retain the main range and north lean-to section of the barn and remove the later brick additions. The barn will be split into two, three-bed dwellings, both dwellings will be over two floors. The west elevation (facing into the farmyard) of the barn will be the principal elevation of the dwellings. The most recent site plan/layout shows the area in front of the barn being laid out as a setted courtyard.

Internally, new walls will be introduced throughout the barn to create additional rooms. The proposed scheme will use the existing footprint of the barn but the roof will be raised slightly

to create the required additional headroom for a first floor. The barn will be re-roofed replacing the existing concrete sheeting with natural slate.

There is considerable benefit in stripping away the modern brick additions and repairing and converting the principle 'original' barn. I feel retaining this barn will help sustain the relationship between the two buildings and will contribute positively to the historic setting of the listed building. I support this element of the scheme and overall I feel the conversion of the barn into two dwellings will be a positive change to the setting of the farmhouse. If the application is to be approved I would suggest suitable conditions are applied to secure the methodology for the conversion work and the use of appropriate materials."

The proposed houses

"All the proposed dwellings are of different designs but are constructed of the same materials to provide a coherent farm/barn architectural style/appearance. The dwellings are two storey and constructed from brick with slate roofs, all sat upon stone plinths with stone chimney stacks. The dwellings have a mixture of different sized casement windows with stone cills and lintels.

Clearly part of the value of the setting to the listed farmhouse is the agricultural character of its immediate surroundings. On approach from the south, the listed building is seen in the context of the adjacent agricultural buildings and this wider rural context. I feel the provision of the four new houses will have a marked effect on this view and how you will appreciate the listed building and the retained barn.

Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surrounding's in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access.

Historic mapping shows that the farmhouse and existing farm buildings/barn have existed as a 'farmstead' on the site in their current formation since at least the 1840s (OS First Edition 6 inch), with almost no substantive change to the setting.

The immediate setting of the farmhouse has long been made up of four relatively distinct areas, with three separate fields/grassed areas to the north, south and west and farm buildings to the east. The fields to the south and west appear to have once been wooded and the site has always been accessed via the long track to the front of the site with open views across the fields on the approach.

The proposed dwellings, particularly those to the south and east of the site, will impact on the farmhouse's long established prominence and primacy in its setting and the addition of these dwellings not only visually compete with the listed farmhouse but also risk 'sub-urbanising' its immediate surroundings. The two properties to the rear would sit behind the listed building and would therefore intrude less into the setting of the farmhouse on approach. Their impact is however, perhaps felt closer and I feel the creation of a courtyard type development, as illustrated, does not overcome the visual impact upon the setting.

Taking into account the value of the setting and its contribution to the character of the listed farm I feel the harm caused by the proposed four new houses, as presented, would be of a moderate scale and this would equate to a low loss of significance to the listed farmhouse. This level of harm would fall within the less than substantial range.

Conclusion

"Overall, as discussed above, I have no issues in regard to the alterations to the farmhouse or to the barn conversion and feel those aspects of the scheme would cause no discernible impact or harm to the significance of the listed building. However, I feel the proposed four new houses would harm the contribution made by the setting to the

significance of Woodend Farm. Whilst I am mindful that the works to the farmhouse and barn provide some wider improvement, which can be regarded as benefit I do not feel this justifies the need for the new houses and does not outweigh the harm caused to the setting. As I am required to do so, I have given the duty's imposed by s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments.

As discussed above, whilst parts of the proposal are acceptable (subject to materials), due to the issues raised above with regard to the proposed new detached dwellings, I do not consider the proposal meets the statutory test 'to preserve' and would cause some low harm (less than substantial) to the significance of the Grade II listed building.

It will be down to the LPA to consider this loss of significance in its planning balance (as per Paragraph 202 of the NPPF) and weigh the level of harm against any benefits gained by the development as a whole. If a positive balance cannot be achieved then the proposal would not meet the objectives of Chapter 16 of the NPPF and would be at odds with Policy BNE8 of the Local Plan and Policy 16 of the Central Lancashire Core Strategy."

40. The scheme has been amended following receipt of the above comments to move the closest dwelling which was proposed immediately to the east of the farmhouse, further to the south east. Whilst the proposed changes to the listed farmhouse and the barn conversion are seen as positive changes, the Council's heritage advisor considers that the proposed new dwellings would result in a moderate level of harm, equating to a low level loss of significance to the listed farmhouse. Whilst the revised scheme may have lessened the harm, it is considered that the scheme as presented causes 'less than substantial harm' and should be assessed under paragraph 202 of the National Planning Policy Framework.
41. The public benefits of the scheme need to be weighed against the identified level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site, securing the longevity of the listed building and the provision of much needed housing. It is considered that these benefits 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

42. 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;*
43. The existing buildings proposed for demolition are of a functional nature akin to their former agricultural and domestic uses. They are largely in a poor state of repair and do not contribute to the character of the area in any positive way. The listed building and associated barn proposed for conversion have heritage value (as explained earlier in this report) and the proposal represents a positive change to these buildings.
44. 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 external 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 former agricultural buildings.

45. 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

46. 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.
47. There are no existing dwellings in close proximity to the site, other than the farmhouse which forms part of the proposal. Each dwelling is designed to avoid breaching the Council's minimum interface distances.
48. 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

49. Policy BNE1 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.
50. The dwellings would be accessed via an existing site access point from Parr Lane with passing places to be provided along the access track. The site layout plan adequately demonstrates that the site would provide off street parking and vehicle manoeuvring areas in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A.
51. LCC Highway Services have assessed the proposal and do not have any objections. 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

52. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water being managed by package treatment plant and surface water draining in the most sustainable way.
53. 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.
54. A Flood Risk Assessment has been submitted in support of the proposal which concludes that no further mitigation measures are considered necessary for the proposed development.

55. United Utilities have responded with no objection to the proposal. The above can be controlled by suitably worded planning conditions.

Ecology

56. Policy BNE9 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.
57. The Council's ecological advisors have responded with no objection to the proposal and have recommended conditions in relation to protecting bats, birds and the provision of biodiversity enhancement measures, stating the following:

"Bats

*Surveys have shown that that three of the existing buildings on the site, referred to as buildings A, E, and H in the bat survey report, are being used by low/singular numbers of Common pipistrelle bats (*Pipistrellus pipistrellus*), Brown Long-eared bats (*Plecotus auritus*), and Myotis bats (*Myotis mystacinus/brandtii*) for roosting purposes. The presence of bat roosts is a material consideration in the determination of a planning application.*

The applicant has proposed a comprehensive Mitigation Plan for avoidance of harm to bats (report of Tyrer Ecological Consultants, June 2022) and these proposals are acceptable. I would conclude that, providing the mitigation measures are implemented in full, the conservation status of bats is capable of being protected.

Because of the presence of bats, the development will need to be undertaken under the terms of a protected species Licence obtained from Natural England. The process of obtaining a Licence is separate from any grant of planning permission.

I would recommend that, as a Condition of any approval granted to the scheme –

The proposed development shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55 of The Conservation of Habitats and Species Regulations (Amendments) (EU Exit) 2019 authorizing the specified activity/development to go ahead; or*
- b) a statement in writing from the relevant licensing body to the effect that it does not consider that the specified activity/development will require a licence.*

Amphibians

Although the preliminary ecological assessment provided to inform the applicant has concluded that the development proposal will not cause harm to the specially protected species great crested newts, I am more cautious. The ponds to the south of the application site have not been surveyed for the possible presence of newts because it is stated that the small watercourse between the ponds and the application site acts as a barrier to amphibian movement. I do not agree with this – it is a small, shallow watercourse which great crested newts could cross. They could therefore be present on the application site and could be harmed by site clearance and construction works. Notwithstanding this, I would accept that the development is unlikely to cause any long-term harm to great crested newts, if present, because relative habitat losses caused by the development will be small.

In addition, other amphibians could be present on the application site because there are a number of ponds nearby.

I would recommend that as a Condition of any permission which may be granted to the scheme, a Method Statement must be prepared giving details of the reasonable measures

to be taken to avoid any possible harm to amphibians during the course of any approved development. Once approved, this Method Statement must be implemented in full.

Nesting birds

No vegetation clearance or demolition should commence in the optimum period for bird nesting (March to August inclusive) unless nesting birds have been shown to be absent by a suitably qualified person.

Wildlife Enhancement

The site would benefit from the installation of bird nesting boxes, particularly for Swifts and Swallows.”

58. 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. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

Public open space

59. 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.
60. The Council does not seek contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches for schemes of fewer than 11 dwellings.
61. With regards to the provision of open space for children/young people, policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Eccleston, Heskin & Charnock Richard in relation to this standard, however the site is not within the accessibility catchment of an area of provision for children/young people. A contribution towards new provision in the accessibility catchment is therefore required from this development. However, no new schemes within the accessibility catchment are currently identified.

Sustainability

62. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

63. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Building Regulations 2022 have now been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

Affordable housing

64. The Framework requires that affordable housing should only be sought for residential developments that are major developments (in this context, the Framework defines major development as development where 10 or more homes will be provided, or the site has an area of 0.5 hectares or more). The affordable housing threshold in rural areas of 5 dwellings in Core Strategy Policy 7 has, therefore, now been replaced by the Framework threshold of 10 dwellings. This proposal is for 6 additional dwellings but the site has an area of 1.51 hectares and is, therefore, a major development for the purposes of affordable housing provision.
65. An affordable housing contribution of 35% would normally, therefore, be required in accordance with Core Strategy Policy 7 and the Framework as part of this proposal. This equates to 2no. affordable dwellings, which should be provided on site unless the site is demonstrably an unsustainable location for affordable housing.
66. The applicant submitted a Viability Appraisal in support of the application which seeks to demonstrate that the development of the site is not viable if the affordable housing requirement is imposed by the Council. The Council's advisors for such matters reviewed the Viability Appraisal and raised a number of issues in relation to its contents. The applicant subsequently decided to not pursue this and agreed to provide a contribution, as described in more detail below.
67. The site is separated from the nearest settlement of Ecclestone with a lack of footways on sections of Parr Lane and a lack of public transport between the two. There are also obvious issues for Registered Providers with having a small number of isolated affordable houses in terms of their management. The site is clearly not a suitable location for this level of affordable housing. A commuted sum for off-site provision is, therefore, required from this scheme.
68. The formula for calculating the financial contribution is set out in paragraph 48 of the Central Lancashire Affordable Housing SPD. Based on the proposed scale of development the calculation is as follows:
- Average house price for locality and house type = £498,689 (based on average house price of £255 per sq ft and proposed average size of 1958 sq ft).
 33% of open market value = £164,567
 Affordable housing requirement (35% of 6 = 2 dwellings) = £329,134
69. The applicant has claimed what is called Vacant Building Credit against the above contribution requirement. National Planning Practice Guidance states that *“National policy provides an incentive for brownfield development on sites containing vacant buildings. Where a vacant building is brought back into any lawful use, or is demolished to be replaced by a new building, the developer should be offered a financial credit equivalent to the existing gross floorspace of relevant vacant buildings when the local planning authority calculates any affordable housing contribution which will be sought. Affordable housing contributions may be required for any increase in floorspace.”*

70. The buildings have been vacant since approximately April 2022. Once the Vacant Building Credit is applied to the proposal, the revised number of affordable housing units to be provided is 0.68 units, which would be rounded up to 1 dwelling. The commuted sum (for borough-wide provision) required from this proposal is, therefore, £111,906 (£164,567 x 0.68) which would be secured via a S106 legal agreement.

Community Infrastructure Levy

71. 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

72. It is considered that the proposed development would not be inappropriate development in the Green Belt as it accords with exceptions 149c and g and 150d 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 unjustified harm to ecology, drainage, heritage assets or highway safety.

RELEVANT HISTORY OF THE SITE

Ref: 81/00947/FUL **Decision:** PD **Decision Date:** 16 December 1981
Description: Change of use from garage to farm shop

Ref: 22/00852/LBC **Decision:** PCO **Decision Date:** Pending
Description: Application for listed building consent for extensions and renovations to listed farmhouse, conversion of barn to two dwellings and demolition of former farmbuildings to enable the erection of two detached dwellings and two semi-detached dwellings

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:

| Title | Plan Ref | Received On |
|---|------------------|-----------------|
| Location Plan | N/A | 26 January 2023 |
| Proposed Site Plan | 21/154/P01 Rev F | 26 January 2023 |
| Farmhouse - Proposed Plans & Elevations | 21/154/P02 Rev A | 18 October 2022 |
| Barn - Proposed Plans & Elevations | 21/154/P03 | 4 August 2022 |

| | | |
|---|------------------|-----------------|
| Proposed House Type (4H2003) - Plot 2 | 21/154/P07 Rev A | 2 December 2022 |
| Proposed House Type (3H2382) - Plot 5 | 21/154/P06 Rev A | 2 December 2022 |
| Proposed Plans & Elevations - Plot 6 (3H2184) & Plot 7 (4H2088) | 21/154/P09 | 2 December 2022 |

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

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 dwellings
- 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 dwellings.
- e) A scheme for the landscaping of the development and its surroundings to include the types and numbers of trees and shrubs to be retained, removed and planted and their distribution on site, those areas to be seeded and detail any changes of ground level or landform.

Any tree removal work shall be done in accordance with BS 3998:2010 and those to be retained shall be protected in accordance with BS 5837:2012.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of any of the dwellings 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 swift and swallow nesting habitat.

Reason: To deliver biodiversity enhancements.

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. 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.

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

Reason: To avoid disturbance of nocturnal wildlife.

8. Prior to the first occupation of any of the dwellings hereby permitted, all existing buildings labelled B, C, D, E, F and G on the Proposed Site Plan (ref. 21/154/P01 Rev F) shall have been demolished and all resultant materials removed from the site.

Reason: To protect the openness of the Green Belt.

9. Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:

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

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

10. Prior to any works taking place to the listed building or the section of the barn to be converted, details of all external facing, roofing and rainwater goods materials (notwithstanding any details shown on previously submitted plan(s) and specification) and a work methodology for the repair and treatment of the buildings, including internal finishes, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

11. Prior to the first occupation of any of the approved dwellings, details of passing places along the site access road from Parr Lane shall be submitted to and approved in writing by the Local Planning Authority and the passing places installed as approved. The passing places shall thereafter be maintained as such in perpetuity.

Reason: To ensure the site access is safe for use.

12. The car parking area and manoeuvring area the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least sub base before any development takes place within the site.

Reason: To ensure that provision is made for the storage of materials and contracting staff.

13. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

14. No development, site clearance/preparation, or demolitions shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

The programme of works should comprise the creation of a record of the house to Level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016), and the farm buildings to level 2/3 (to include cross sections) as set out in Understanding Historic Buildings. It should include full descriptions of the building, inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record prior to the dwelling consented being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.

15. No works shall take place to any of the existing buildings until the following has been submitted to the Local Planning Authority:

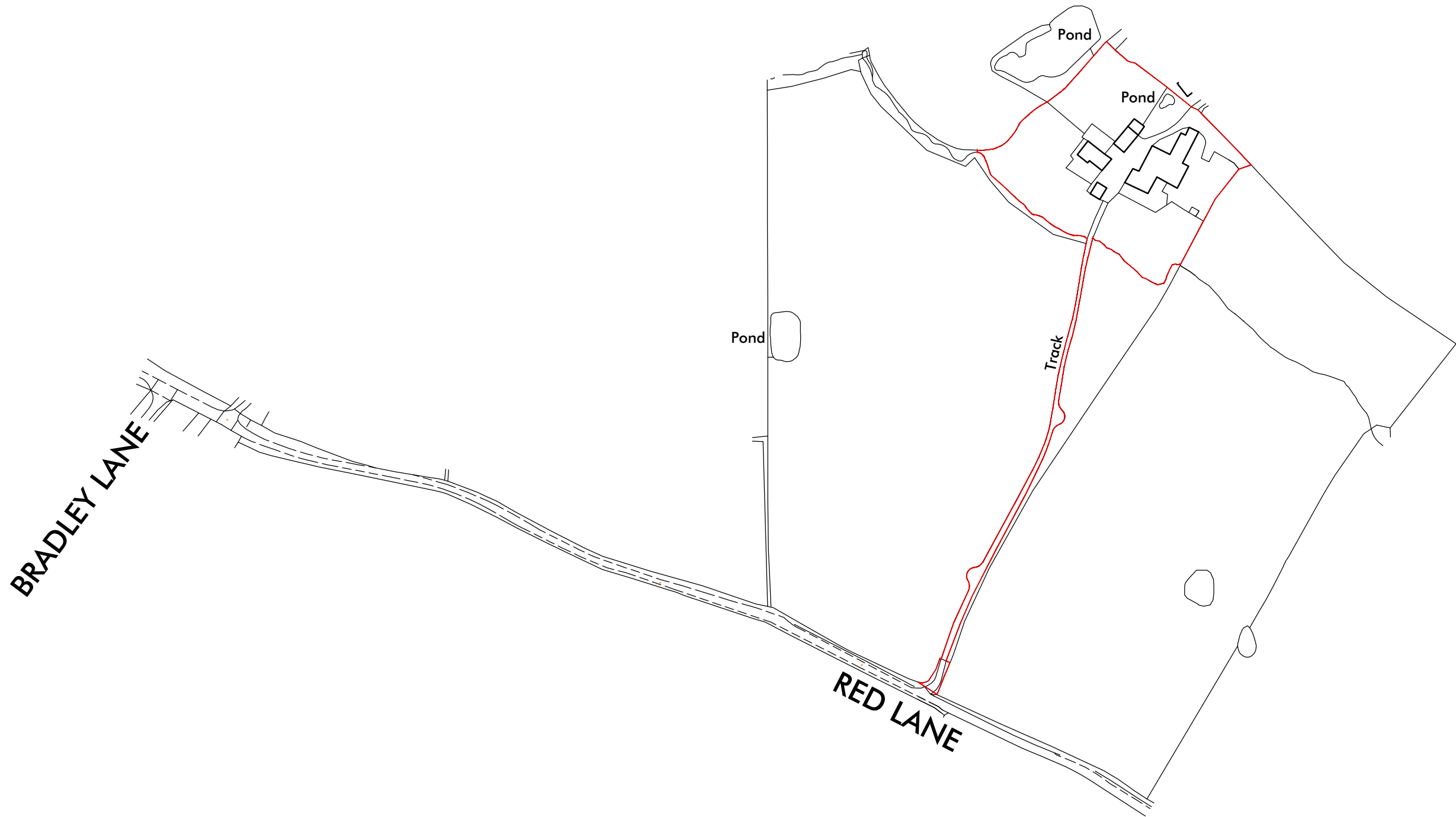
a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead:
or

b) a statement in writing from the relevant licensing body or the Local Planning Authority to the effect that it does not consider that the specified development will require a license

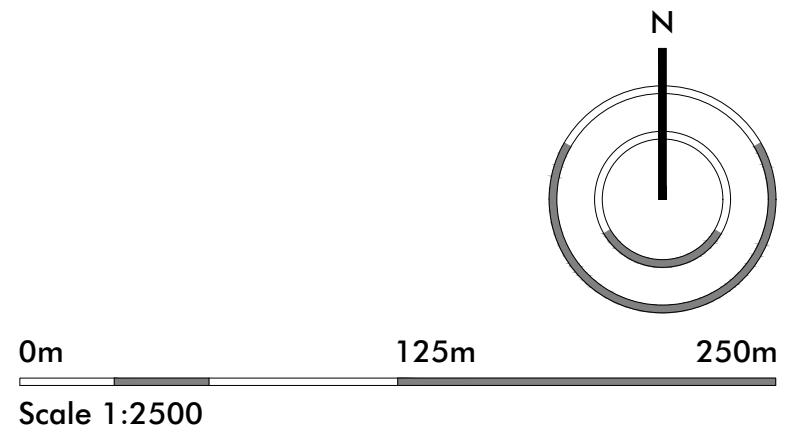
Reason: To safeguard bats which are a protected species.

16. Prior to any earthworks or vegetation clearance, a reasonable avoidance measures method statement for amphibians shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved method statement.

Reason: To safeguard a protected species.



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APPLICATION REPORT – 22/00852/LBC

Validation Date: 4 August 2022

Ward: Eccleston, Heskin And Charnock Richard

Type of Application: Listed Building

Proposal: Application for listed building consent for extensions and renovations to listed farmhouse, conversion of barn to two dwellings and demolition of former farm buildings to enable the erection of two detached dwellings and two semi-detached dwellings

Location: Woodend Farm Parr Lane Eccleston Chorley PR7 5RL

Case Officer: Mike Halsall

Applicant: Mr Steve Wastell

Agent: Mr Chris Weetman, CW Planning Solutions Ltd

Consultation expiry: 16 December 2022

Decision due by: 10 February 2023 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt at the end of a 280m long access track to the north of Parr Lane (shown as Red Lane on some mapping), approximately 850m to the east of the defined settlement boundary of Eccleston.
3. The site contains a cluster of buildings consisting of Woodend Farm, a 17th Century grade II listed farmhouse, a curtilage listed barn with more recent extensions located to the north east of the dwelling and a further separate storage building located to the north of the dwelling. There is also an unauthorised detached garage which has recently been erected to the south east of the dwelling. Other than an agricultural building located immediately to the north of the application site, the site is surrounded by agricultural land.

DESCRIPTION OF PROPOSED DEVELOPMENT

4. The application seeks listed building consent for extensions and renovations to the listed farmhouse, the conversion of the barn to two dwellings and the demolition of the former farm buildings to enable the erection of two detached dwellings and two semi-detached dwellings. The unauthorised garage would also be demolished as part of the proposal.
5. This application does not require an assessment of the acceptability of the erection of the detached or semi-detached dwellings as such work does not require listed building consent. The application, therefore, relates to work to the listed dwelling and curtilage listed barn.
6. A separate application for planning permission has been submitted in parallel with this application, ref. 22/00851/FUL for the proposed development which includes a full assessment of the entire proposals at the site.

REPRESENTATIONS

7. No representations have been received.

CONSULTATIONS

8. Historic England: Have responded to state they have no comments to make on this proposal.
9. Ecclestone Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

Impact on designated heritage assets

10. 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."

Great weight and importance is attached to this duty.

11. 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.

12. 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.'*

13. Policy bne8 of the Chorley Local Plan 2012 – 2026 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.'*

14. The proposal has been amended since its original submission following discussions with the Council's heritage advisor to limit harm to the setting of the listed building and also to reduce the amount of glazing proposed in the extension to the listed building.

15. A summary of the Council's heritage advisor's comments are as follows:

The farmhouse

"Woodend Farm is an altered farmhouse building constructed in C17 and altered in C19. It is two storey with an L-shaped plan with a projecting two-bay crosswing at the left end, which was added later. Having seen the interior of the farmhouse whilst I am now largely content with the changes proposed to the interior of the listed building itself. The removal of the extensive dry lining found throughout the property will be a positive change. The proposed removal of internal walls and changes to the plan form will have little or no impact on the significance of the building. Any minimal impact is more than offset by the decision to remove the existing dry lined interior. All doors and windows should be changed to timber ones of a suitable design. The detail could be secured via a suitable worded condition."

The barn conversion

"The barn is located within the curtilage of the Grade II listed Woodend Farm, situated to the east. The Heritage Statement notes the presence of a granary in the main house suggests the barn could be contemporary to the main farmhouse, however, it is possibly a later rebuild. There is no information within the listing which relates to the barn's construction. Historic mapping shows that the main range of the barn has been extended since mid C19, appearing to have much of the same footprint we see today. The barn provides evidence of the farmhouse's association with agriculture. The barn was inspected on 14th February 2018, it was noted as being semi derelict."

The proposed plans retain the main range and north lean-to section of the barn and remove the later brick additions. The barn will be split into two, three-bed dwellings, both dwellings will be over two floors. The west elevation (facing into the farmyard) of the barn will be the principal elevation of the dwellings. The most recent site plan/layout shows the area in front of the barn being laid out as a setted courtyard.

Internally, new walls will be introduced throughout the barn to create additional rooms. The proposed scheme will use the existing footprint of the barn but the roof will be raised slightly to create the required additional headroom for a first floor. The barn will be re-roofed replacing the existing concrete sheeting with natural slate.

There is considerable benefit in stripping away the modern brick additions and repairing and converting the principle 'original' barn. I feel retaining this barn will help sustain the relationship between the two buildings and will contribute positively to the historic setting of the listed building. I support this element of the scheme and overall I feel the conversion of the barn into two dwellings will be a positive change to the setting of the farmhouse. If the application is to be approved I would suggest suitable conditions are applied to secure the methodology for the conversion work and the use of appropriate materials."

Conclusion

"Overall, as discussed above, I have no issues in regard to the alterations to the farmhouse or to the barn conversion and feel those aspects of the scheme would cause no discernible impact or harm to the significance of the listed building."

16. In light of the above comments, it is considered that 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.

CONCLUSION

17. It is considered that the proposal would result in an enhancement to the character of the listed building and curtilage barn. The works meet the statutory test 'to preserve' the significance of the designated heritage assets. Therefore, the Local Planning Authority is not required to undertake any balancing exercise as per paragraph 202 of the Framework

Consequently, it is considered that the works meet the principal duty of the Act, the objectives of Chapter 16 of The Framework, policy 16 of the Central Lancashire Core Strategy and policy BNE8 Chorley Local Plan 2012-2026. The application is, therefore, recommended for approval, subject to conditions.

RELEVANT HISTORY OF THE SITE

Ref: 81/00947/FUL **Decision:** PD **Decision Date:** 16 December 1981
Description: Change of use from garage to farm shop

Ref: 22/00851/FUL **Decision:** PDE **Decision Date:** Pending
Description: Extensions and renovations to listed farmhouse, conversion of barn to two dwellings, demolition of former farmbuildings and erection of two detached and two semi-detached dwellings

RELEVANT POLICIES: The Planning (Listed Building and Conservation Areas) Act 1990 states that the Local Planning Authority has a primary duty in relation to listed buildings to 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. Policy 16 of the Central Lancashire Core Strategy, 'Heritage Assets' and Policy BNE8, 'Protection and Enhancement of Heritage Assets' of the Adopted Chorley Local Plan 2012 - 2026 seek to protect and enhance the Borough's heritage. Also of relevance is the Framework (National Planning Policy Framework), section 16.

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 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

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

| Title | Plan Ref | Received On |
|---|------------------|-----------------|
| Location Plan | N/A | 26 January 2023 |
| Proposed Site Plan | 21/154/P01 Rev F | 26 January 2023 |
| Farmhouse - Proposed Plans & Elevations | 21/154/P02 Rev A | 18 October 2022 |
| Barn - Proposed Plans & Elevations | 21/154/P03 | 4 August 2022 |

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

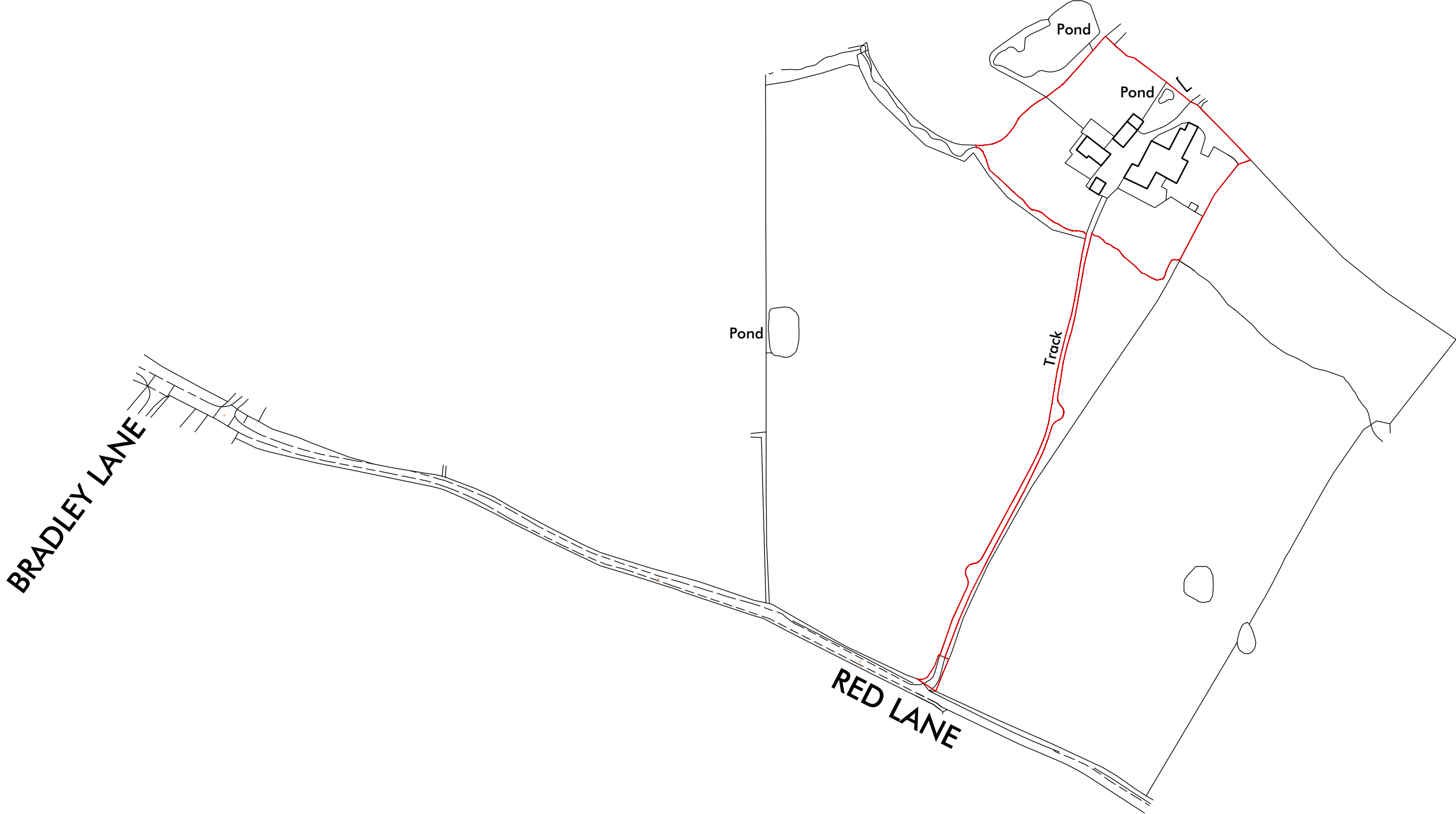
3. Prior to any works taking place to the listed building or the section of the barn to be converted, details of all external facing, roofing and rainwater goods materials (notwithstanding any details shown on previously submitted plan(s) and specification) and a work methodology for the repair and treatment of the buildings, including internal finishes, shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

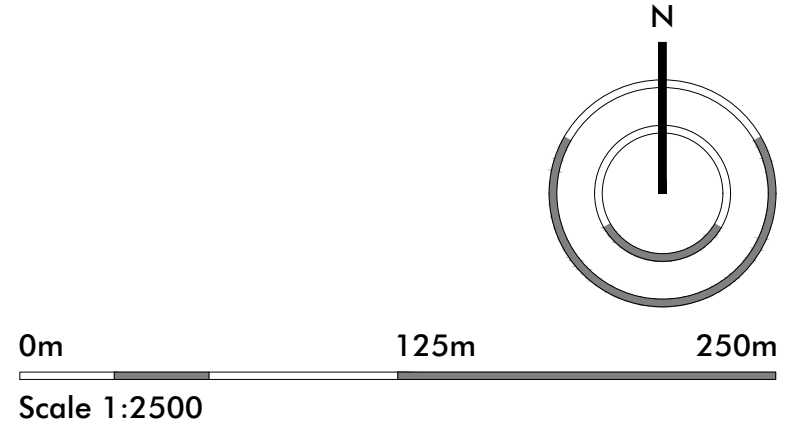
4. No development, site clearance/preparation, or demolitions shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

The programme of works should comprise the creation of a record of the house to Level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016), and the farm buildings to level 2/3 (to include cross sections) as set out in Understanding Historic Buildings. It should include full descriptions of the building, inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record should also include a rapid desk-based assessment, putting the building and its features into context. This work should be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record prior to the dwelling consented being first occupied.

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.



The Plan Referred To
Scale 1:2500 at A3



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APPLICATION REPORT – 23/01179/FUL

Validation Date: 10 November 2022

Ward: Chorley North West

Type of Application: Full Planning

Proposal: Erection of a storage building (Use Class B8) for a temporary period of up to ten years

Location: NIS Engineering Common Bank Industrial Estate Ackhurst Road Chorley PR7 1NH

Case Officer: Chris Smith

Applicant: NIS Ltd

Agent: Abigayle Boardman, Acland Bracewell

Consultation expiry: 8 December 2022

Decision due by: 9 February 2023

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located on Ackhurst Road in the settlement area of Chorley as defined by the Chorley Local Plan Policies Map. It is a rectangular area of land located to the south of an existing building which accommodates an engineering business – NIS Engineering. The immediate locality is a built-up urban area characterised by business and commercial units located within the Common Bank Industrial Estate. There are residential properties located approximately 250m to the east of the site at Stansted Road.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The application seeks planning permission for the erection of a storage building which would measure approximately 80m by 20m, with a maximum height of approximately 8m. It would be built from single skin steel cladding with steel sheet roofing and roller shutter doors.
4. The building would provide additional storage space for products manufactured within the existing warehouse building. The statement submitted with the application sets out that additional storage capacity is required on the basis that existing buildings on the site do not have sufficient capacity to enable the business to meet the requirements of a new contract.

REPRESENTATIONS

5. No representations have been received.

CONSULTATIONS

6. Chorley Council's Environmental Health Officer – No comments have been received.

7. The Coal Authority – Standing Advice/Low Risk.
8. Lancashire County Council Highway Services (LCC Highway Services) – Have advised that they 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.
9. Lead Local Flood Authority (LLFA) – Have no objections to the proposed development.
10. United Utilities (UU) – Have not raised any objections subject to conditions.

PLANNING CONSIDERATIONS

Principle of the development

11. The National Planning Policy Framework (The Framework) states that plans and decisions should apply a presumption in favour of sustainable development and for decision making this means approving development proposals that accord with an up-to-date development plan without delay, or where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed.
12. The Framework is also strongly in support of proposals that sustain and enhance economic growth. At paragraph 81 it states that significant weight should be placed on the need to support economic growth through the planning system. The application seeks planning permission to make use of part of the existing site, which already accommodates a general industrial use (Use Class B2), for a building which would provide storage space for the storage and distribution of products engineered on site. The proposed development would, therefore, enable the existing business to fulfil existing and future contracts and it would, therefore, sustain and enhance economic growth in line with the requirements of the Framework.
13. Support for economic growth is complemented by Central Lancashire Core Strategy Policy 10, which seeks to protect existing employment premises and sites.
14. The application site is located in the settlement area of Chorley. Policy V2 of the Chorley Local Plan 2012 - 2026 states that within the settlement areas excluded from the Green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development.
15. The proposed development is, therefore, acceptable in principle subject to an assessment in relation to Chorley Local Plan 2012-2026 policy EP3, which provides guidance for the development of new industrial units and extensions to existing industrial units. This policy sets out criteria to be satisfied by such proposals. An assessment against these criteria is set out as follows:
 - a) *they are of a scale and character that is commensurate with the size of the settlement;*
Whilst the proposed building would be a large building measuring approximately 80m by 20m, with a maximum height of approximately 8m, it is considered that its size would be commensurate to the existing building on site which is a very large industrial warehouse building. It is also noted that the immediate locality is an industrial estate which contains several similarly sized and designed functional buildings and the proposed building would be seen entirely within this prevailing context.
 - b) *the site is planned and laid out on a comprehensive basis;*
The development has been designed to fit the site and make an efficient and effective use of the available space.
 - c) *the proposal will not prejudice future, or current economic activities within nearby areas;*

The proposed development would support an existing business by facilitating the provision of additional storage space and there is no evidence to suggest that the development would be in any way harmful to economic activity in other areas, given the scale and type of development for which there appears to be a growing demand.

d) the proposal will not cause unacceptable harm e.g. noise, smells to surrounding uses;

It is not considered that the proposed building, which would only be used for storage purposes, would have an adverse impact on surrounding uses. Whilst there are neighbouring properties to the east of the site at Stansted Road they are located approximately 250m away from the site and this degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on neighbouring amenity as a result of noise. This is also the conclusion of a noise assessment which has been submitted with the application.

e) the site has an adequate access that would not create a traffic hazard or have an undue environmental impact;

The site has a well-established access capable of supporting commercial traffic movements. The development would make use of this access and would provide adequate on-site parking. LCC Highway Services have advised that they do not have any objections to the proposed development.

f) the proposal will be served by public transport and provide pedestrian and cycle links to adjacent areas;

The application site has reasonable access to public transport with a bus stop located approximately 200m to the north on the B5251 Ackhurst Road. The site is also accessible to a reasonably large catchment by walking or cycling.

g) open storage areas should be designed to minimise visual intrusion;

The proposed building would provide additional storage space at the site thus reducing the likelihood of there being any further need to utilise outdoor areas for storage which could result in visual intrusion.

h) adequate screening is provided where necessary to any unsightly feature of the development and security fencing is located to the internal edge of any perimeter landscaping;

The wider industrial site within which the application site is located is already industrial in character with steel palisade fencing and relatively tall shrubbery along the boundaries which provide a degree of screening. Just beyond the eastern site boundary land levels increase gradually in height enclosing the site on this side and screening it from the adjacent public highway to the east.

i) on the edges of industrial areas, where sites adjoin residential areas or open countryside, developers will be required to provide substantial peripheral landscaping;

To the north, south and west the site is bounded by neighbouring industrial and commercial uses. Whilst land immediately to the east of the site is undeveloped, due to its undulating form and ascending topography along with the significant number of trees located here, it is considered that there is already an adequate degree peripheral landscaping to the east of the site.

j) the development makes safe and convenient access provision for people with disabilities;

The application site is level and is accessible for people of all levels of mobility.

k) the buildings are designed, laid out and landscaped to maximise the energy conservation potential of any development, and to minimise the risk of crime;

The building is not to be heated and would be a basic storage building. The site is located within an existing industrial estate complex and is secured by fencing.

l) the proposal will not result in surface water, drainage, or sewerage related pollution problems;

There would be no greater impact on surface water, drainage, or sewerage related pollution problems than existed previously.

m) the proposal incorporates measures which help to prevent crime and promote community safety.

There would be palisade security fencing installed around the site and the building would be locked, which is a suitable level of security for the proposed development.

Impact on the amenity of neighbouring occupiers

16. *Policy BNE1 of the Chorley Local Plan 2012-2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that, the development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing or by creating overbearing impacts.*

17. The application site is located approximately 250m to the west of a housing estate and it is separated from the properties located there by the B5251 Yarrow Valley Way and a very densely wooded area located to the east of the public highway which completely screens the site from the residential properties. Consequently, it is considered that any impacts on neighbouring amenity would be negligible and that they would not be significantly greater or more adverse than any impacts which already occur as a result of the existing industrial use of the site or neighbouring industrial and commercial uses within the Common Bank Industrial Estate.

18. It is considered that the proposed development would have no unacceptable impact on the amenity of the nearby residents and is considered to be in accordance with policy BNE1 of the Chorley Local Plan 2012-2026.

CONCLUSION

19. The proposed development would not have an unacceptable adverse impact on the character and appearance of the existing site or the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents or highway safety. It is, therefore, considered that the development accords with policies' EP3 and BNE1 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved.

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

RELEVANT HISTORY OF THE SITE

Ref: 76/00823/OUT **Decision:** PEROPP **Decision Date:** 16 November 1976
Description: Outline application for Factory and Offices (Phase 1)

Ref: 77/00406/FUL **Decision:** PERFPP **Decision Date:** 24 May 1977
Description: New factory and offices

Ref: 84/00494/FUL **Decision:** PERFPP **Decision Date:** 21 August 1984
Description: Display of floodlit lettering on temporary building

Ref: 84/00112/FUL **Decision:** PERFPP **Decision Date:** 3 April 1984
Description: Extension to factory (temporary test facility for 2 years)

Ref: 85/00212/FUL **Decision:** PERFPP **Decision Date:** 2 April 1985
Description: Temporary offices (2 years) pump test facility and car park

- Ref:** 86/00678/FUL **Decision:** PERFPP **Decision Date:** 11 November 1986
Description: Provision of relocatable office accommodation temporary car park for 92 cars and renewal of temporary permission 9/85/212 (temporary offices/pump facility) for further two years
- Ref:** 89/00606/FUL **Decision:** WDN **Decision Date:** 28 September 1993
Description: Erection of temporary office accommodation
- Ref:** 92/00585/FUL **Decision:** PERFPP **Decision Date:** 29 September 1992
Description: Extension to provide new offices drawing office reception and presentation rooms
- Ref:** 93/00708/FUL **Decision:** PERFPP **Decision Date:** 9 November 1993
Description: Erection of 3 portable buildings
- Ref:** 96/00565/FUL **Decision:** PERFPP **Decision Date:** 12 November 1996
Description: Provision of new steel framed store unit to rear of existing premises
- Ref:** 96/00767/FUL **Decision:** PERFPP **Decision Date:** 18 December 1996
Description: Proposed extension to existing factory
- Ref:** 05/00355/FULMAJ **Decision:** PERFPP **Decision Date:** 25 May 2005
Description: Erection of office unit comprising of two floors of office space, associated storage and services provision
- Ref:** 11/00316/FUL **Decision:** PERFPP **Decision Date:** 16 June 2011
Description: Erection of Test Rig Hall, internal link access road and to formalise existing parking arrangements
- Ref:** 11/00596/DIS **Decision:** PEDISZ **Decision Date:** 5 August 2011
Description: Application to discharge conditions 4 (external facing materials); 5 (fencing); 6 (external lighting); 7 (landscaping); 10 (ground-surfacing details); 11 (surface water drainage) and 13 (car parking layout) of planning approval 11/00316/FUL
- Ref:** 11/00859/ADV **Decision:** PERADV **Decision Date:** 16 November 2011
Description: Erection of free standing 1.3m high internally illuminated sign set on a 0.5m high concrete plinth
- Ref:** 11/00862/FUL **Decision:** PERFPP **Decision Date:** 16 November 2011
Description: Erection of a 3m high free standing solar panel to power adjacent sign
- Ref:** 12/00821/FUL **Decision:** PERFPP **Decision Date:** 18 October 2012
Description: Erection of modular building
- Ref:** 13/00043/FUL **Decision:** PERFPP **Decision Date:** 28 February 2013
Description: Construction of concrete slab (approximately 2000sqm) to south of main building.
- Ref:** 13/00605/DIS **Decision:** PEDISZ **Decision Date:** 22 July 2013
Description: Application to discharge conditions 3 (colour, form and texture of slab) and 5 (scheme for the provision and implementation of a surface water regulation) of planning approval 13/00043/FUL.
- Ref:** 13/00727/FULMAJ **Decision:** PERFPP **Decision Date:** 7 October 2013
Description: Erection of temporary industrial building for a period of 24 months comprising B1(c) light industrial, B2 general industrial and B8 storage and distribution uses

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 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.

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

| Title | Plan Ref | Received On |
|--------------------------|------------------------|--------------------|
| Site Location Plan | X757.PL01-1 | 10 November 2022 |
| Proposed Block Plan | X757.PL02-1 | 10 November 2022 |
| Proposed GA Plans | X757.PL03-1 | 10 November 2022 |
| Proposed Elevations | PL04-1(A) | 10 November 2022 |
| External Lighting Scheme | 022.062.E01 Rev.PL1 | 10 November 2022 |

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

4. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water in accordance with BRE365;
- (ii) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
- (iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable;
- and
- (v) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

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

5. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

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

6. Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the Local Planning Authority and

agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:

- a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management company; and
- b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.

The development shall subsequently be completed, maintained and managed in accordance with the approved plan.

Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.

7. The development hereby approved shall be used for Class B8 purposes and for no other purpose of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended), or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order).

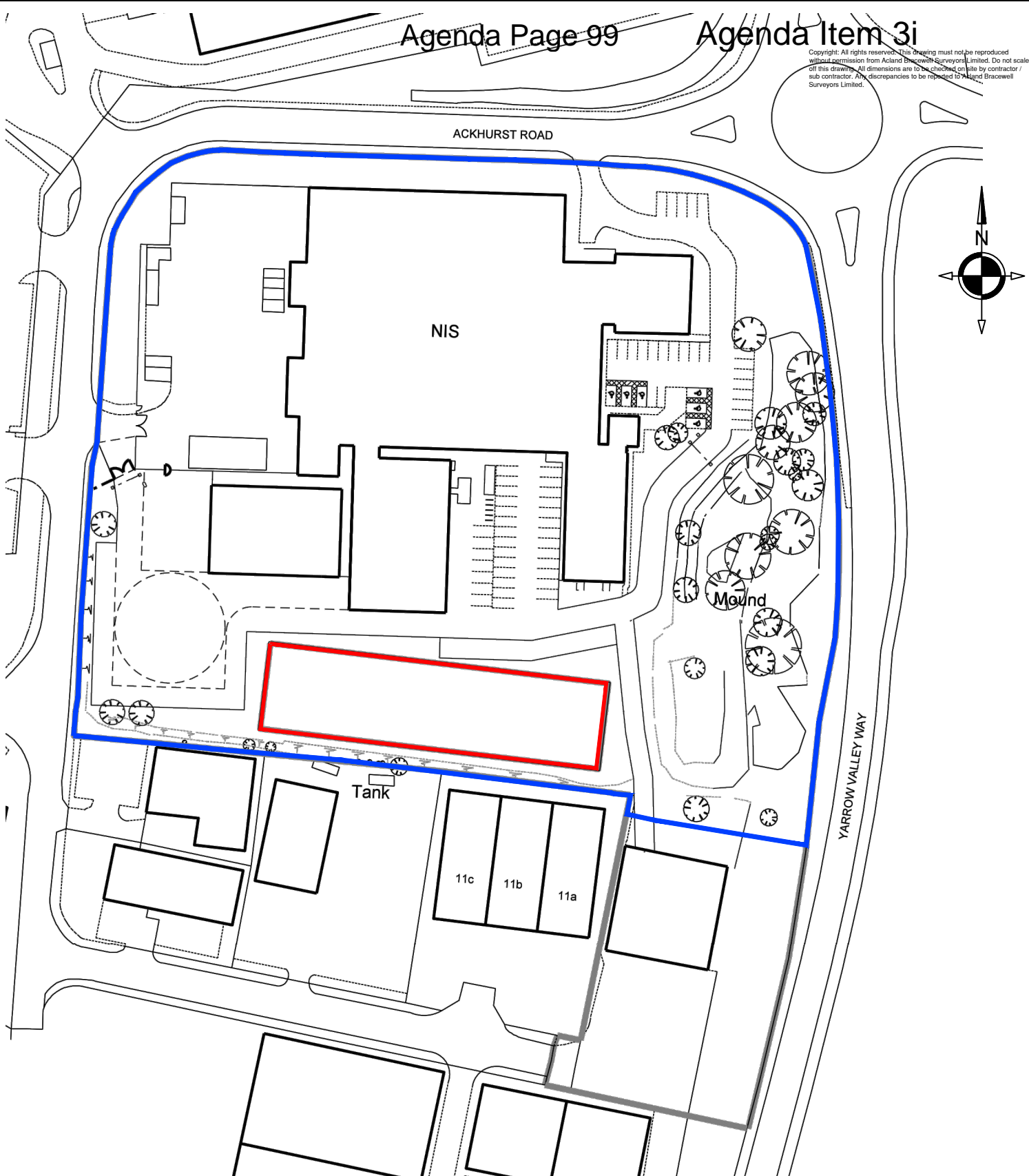
Reason: To define the development and to protect the amenity of neighbouring occupiers.

8. This permission shall expire on 5th January 2033; by which date the use of the land for the erection of a storage building shall have been discontinued, the building fully removed from the site and the land restored to its previous authorised state in all respects.

Reason: In accordance with the application and in the interests of the Local Planning Authority retaining control over the long-term use of the land and quality development, as the use may be inappropriate to the locality on a permanent basis.

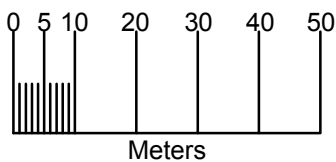
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SITE LOCATION PLAN

Scale 1:1250 @ A4



- Application Area (red line)
Approx. 1627m²
- Applicant Ownership Boundary
Approx. 2.512ha

Acland Bracewell Surveyors Limited
 The Barrons, Church Road,
 Tarleton, Preston, PR4 6UP
 Tel: 01772 813 211
 www.absurveyors.co.uk

| | | | |
|-------------------------------------|-------------------|-------------------------------------|------------------|
| Client NIS Ltd Ackhurst Road | | Drawing Title Site Location Plan | |
| Project Title Temporary Building | | Drawn JH | Date Aug '22 |
| Planning | | Checked HH | Date Sept '22 |
| DWG No x757.PL01-1 | Scale As Shown | Rev | |

A4



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