

## Planning Committee

Tuesday, 28th March 2023, 6.30 pm

Council Chamber, Town Hall, Chorley and [YouTube](#)

### Agenda

#### Apologies

1 **Minutes of meeting Tuesday, 7 March 2023 of Planning Committee**

(Pages 3 - 6)

2 **Declarations of Any Interests**

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

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

3 **Planning applications to be determined**

The Head of Planning and Enforcement has submitted six items to be determined (enclosed).

Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our [website](#).

a **22/00864/FULMAJ - Highgrove House, Highfield Road North, Chorley, PR7 1PH**

This item has been withdrawn from the agenda.

b **23/00163/PIP - Land 85M East Of 48, Town Lane, Whittle-Le-Woods**

(Pages 7 - 26)

c **22/01314/FUL - Auldene, 338 Southport Road, Ulnes Walton, Leyland, PR26 8LQ**

This item has been withdrawn from the agenda.

d **23/00100/FUL - 36 Empress Way, Euxton, Chorley, PR7 6QB**

This item has been withdrawn from the agenda.

e	<b>22/01315/FUL - Mayfield, Blue Stone Lane, Mawdesley, Ormskirk, L40 2RH</b>	(Pages 27 - 60)
f	<b>22/01001/FUL - Lower Wood End Farm, Back Lane, Clayton-Le-Woods, Chorley, PR6 7EX</b>	(Pages 61 - 106)
g	<b>22/01320/FUL - Land Adjacent To 715 Preston Road, Preston Road, Clayton-Le-Woods</b>	(Pages 107 - 134)
h	<b>23/00013/FULHH - 9 Seaforth Crescent, Buckshaw Village, Chorley, PR7 7HL</b>	(Pages 135 - 150)
i	<b>21/00387/FULMAJ - Christ Church Charnock Richard C of E Primary School, Church Lane, Charnock Richard, Chorley, PR7 5NA</b>	(Pages 151 - 170)
4	<b>Any urgent business previously agreed with the Chair</b>	
5	<b>Addendum</b>	(Pages 171 - 180)

Chris Sinnott  
Chief Executive

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

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**Minutes of Planning Committee****Meeting date Tuesday, 7 March 2023****Committee Members present:** Councillor June Molyneaux (Chair), and Councillors Sarah Ainsworth, Aaron Beaver, Magda Cullens, Karen Derbyshire, Gordon France, Danny Gee, Tommy Gray, Harold Heaton, Alistair Morwood, Jean Sherwood and Alan Whittaker**Observers present:** Councillor Julia Berry**Officers:** Adele Hayes (Head of Planning and Enforcement), Iain Crossland (Principal Planning Officer), Stefanie Malcolmson (Senior Solicitor), and Matthew Pawlyszyn (Democratic and Member Services Officer)**Apologies:** Councillors Martin Boardman, Alex Hilton, Keith Iddon and Neville Whitham

A video recording of the public session of this meeting is available to view on [YouTube here](#)

**111 Declarations of Any Interests**

There were no declarations.

**112 Minutes of meeting Tuesday, 7 February 2023 of Planning Committee****Resolved: That the minutes of the meeting Tuesday, 7 February 2023 of the Planning Committee were approved as a correct record.****113 Planning applications to be determined**

The Head of Planning and Enforcement has submitted six planning applications to be determined (enclosed). Plans to be considered will be displayed at the meeting or may be viewed in advance by following the links to the current planning applications on our [website](#).

**114 22/00719/FUL - St Peters Parish Club, Eaves Lane, Chorley, PR6 0DX**

Public speakers: Suzanne Highcock (Objector), and Matthew Walton (Agent).

After careful consideration, it was proposed by Councillor Harold Heaton, seconded by Councillor Aaron Beaver, and **resolved (10 for, 0 against, and 2 abstained) that planning permission be granted subject to conditions.**

**115 21/00253/OUTMAJ - Land 150M North East Of 31 Paradise Street, Chorley**

Public speakers: David Berry (Objector), Colin Grunstein (Parish Councillor), Councillor Adrian Lowe (Ward Councillor), Councillor Jenny Whiffen (Ward Councillor), and Alexis De Pol (Agent).

After careful consideration, it was proposed by Councillor Harold Heaton, seconded by Councillor Jean Sherwood, and **resolved unanimously that the Planning Committee be minded to resolve to refuse outline planning permission for the following reason:**

***The proposed development would have an unacceptable adverse effect on the visual amenity and appearance of the countryside and its landscape setting contrary to policy BNE2 of the Chorley Local Plan 2012-2026, policy 21 of the Central Lancashire Core Strategy and paragraph 174 of the National Planning Policy Framework. Applying the "tilted balance" of paragraph 11 of the National Planning Policy Framework, it is considered that the adverse impacts of the development would significantly and demonstrably outweigh the benefits of the proposed development.***

**116 23/00004/FUL - 10 Riley Green, Hoghton, Preston, PR5 0SL**

Public speakers: Ray Shepley (Objector), Councillor Alan Cullens (Ward Councillor), Councillor Sam Chapman (Ward Councillor) and Peter Grimes (Applicant)

After careful consideration, it was proposed by Councillor Harold Heaton, seconded by Councillor Alistair Morwood, and **resolved (11 for, 1 against, and 0 abstained) that planning permission be granted subject to conditions.**

**117 22/00912/REM - Lucas Green, Lucas Lane, Whittle-Le-Woods, Chorley, PR6 7DA**

After careful consideration, it was proposed by Councillor Harold Heaton, seconded by Councillor Alistair Morwood and **resolved: (11 for, 0 against, 1 abstention) that reserved matters consent be granted subject to conditions.**

**118 22/01230/FULMAJ - Euxton Villa Football Club, Jim Fowler Memorial Playing Fields, Runshaw Hall Lane, Euxton, Chorley, PR7 6HQ**

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Tommy Gray and **resolved unanimously that Planning permission be granted subject to conditions.**

**119 22/00864/FULMAJ - Highgrove House, Highfield Road North, Chorley, PR7 1PH**

Public speakers: David Gregson (Objector) and Kat McMaster (Agent).

After careful consideration, it was proposed by Councillor Alan Whittaker, seconded by Councillor Aaron Beaver, and **resolved unanimously that the application be deferred to allow Members the opportunity to visit the site and to allow time for the case officer to request the submission of drawings to demonstrate the relationship with the existing dwelling adjacent to the proposed parking area that shall include details of existing and proposed ground levels and a section drawing.**

**120 Tree Preservation Order No.2 (Euxton) 2022**

After careful consideration, it was proposed by Councillor Danny Gee, seconded by Councillor Tommy Gray, and **resolved unanimously that the formal confirmation of the order be approved.**

**121 Appeals Report**

**Resolved: That the Appeals Report be noted.**

Chair

Date

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**APPLICATION REPORT – 23/00163/PIP**

**Validation Date: 22 February 2023**

**Ward: Chorley North East**

**Type of Application: Permission In Principle**

**Proposal: Permission in principle application for up to 9 no. detached dwellings**

**Location: Land 85M East Of 48 Town Lane Whittle-Le-Woods**

**Case Officer: Mr Iain Crossland**

**Applicant: Miss Kerrigan**

**Agent: John Manley**

**Consultation expiry: 24 March 2023**

**Decision due by: 29 March 2023**

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**RECOMMENDATION**

1. It is recommended that permission in principle is granted subject to conditions.

**SITE DESCRIPTION**

2. The application site is located within Safeguarded Land as defined by policy BNE3 the Chorley Local Plan 2012 – 2026 and is located immediately north of the existing settlement area at the urban fringe. It comprises open grassland located to the south of Town Lane and lies between residential dwellings at no.48 Town Lane to the west and no.72 Town Lane to the east.
3. The site itself stretches along the road frontage though it is not deep. The land slopes from east to west and north to south across the site, with a steep change in levels down to a water course along the southern boundary. There are trees and shrubs to the periphery of the site, other than which it is open ruderal grassland.
4. The character of the area is that of urban rural fringe with suburban housing estate to the south and west and open land to the north and east. There are more traditional buildings of agrarian origins along Town Lane and adjacent to the application site, which are constructed of local sandstone. It is noted that there is a Biological Heritage Site known as Lucas Lane Pasture to the south of the application site beyond the watercourse.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. This application seeks permission in principle for up to 9 no. detached dwellings. Paragraph 012 of the National Planning Practice Guidance (NPPG) on Permission in Principle, states that *“the scope of permission in principle is limited to location, land use and amount of development. Issues relevant to these ‘in principle’ matters should be considered at the permission in principle stage. Other matters should be considered at the technical details consent stage. In addition, local authorities cannot list the information they require for applications for permission in principle in the same way they can for applications for planning permission.”*

6. The permission in principle process came into force on 15 April 2017 with the government intention of simplifying the planning process for developers, and to give developers more certainty over whether a site is suitable for development ahead of going to the expense of working up more detailed proposals necessary to obtain full planning permission. The government expected this to encourage new development and increase the amount of land available to build on, thereby helping to boost housing supply. While the council has been clear that it prefers a locally-led planning process, as the local planning authority, the current NPPG has to be followed.

## REPRESENTATIONS

7. Cllr Mark Clifford: Has made the following comments:

As member responsible for Environment and Green Space at Chorley Council I wish to strongly object to planning application 23/00163/PIP.

The land in question is completely unsuitable for any housing as it is a contaminated landfill site with dangerous vehicular access onto Town Lane. The financial cost to make this area safe for habitation would likely outweigh several times what any sane person would be willing to pay for building land.

Granting permission in principle for this land does not make sense on any level. The land cannot be cleaned up safely without contaminating the wider area and the river running behind it. What's in the ground at this old landfill site should stay in it and not be disturbed.

I have a large file from the Environment Agency and within it there are historical recommendations from agencies such as North West Water to object to any planning on this site. The site was deemed unsuitable in the 1980's for development when environmental concerns and regulations were much weaker. The site has not got any better since.

8. Representations in objection have been received from 10no. individuals raising the following issues:
- The land is heavily contaminated.
  - Highway safety issues
  - Surface water flood risks downstream of the site
  - Ecological harms.

## CONSULTATIONS

9. Whittle-le-Woods Parish Council: Have made the following comments:  
The Parish Council comprises people who have lived in the village for decades. Our response is based on local knowledge and the living memory of senior residents. It is supported by official documents held by CBC, Manager of Waste Services. We are aware the site was used as landfill in the last century. It is widely understood to contain asbestos. There is a strong belief that illegal tipping also took place reportedly, on occasions, during hours of darkness. The land now appears neglected and the perimeter fencing has not been maintained in some time. A levelling exercise undertaken in recent years has resulted in a mound/build-up at the western end with no supporting wall. Drainage to the south will be into a natural stream which crosses a BHS, and residential gardens, on its way to the River Lostock.

Neighbours report witnessing occasional 'mini explosions' which suggests to us methane still builds up; we understand there have been methane venting pipes in the ground but these are no longer visible. Observations from the road suggest the foliage to be unhealthy and less than natural growth over time. We believe this may be a symptom of inadequate capping off when tipping ceased. Additionally, we have a report of Japanese knotweed to the south western side, which we believe was treated several years ago.

There is no doubt in our minds that this land could benefit from expert attention but we have grave misgivings regarding its suitability for development. The Parish Council OBJECTS to any decision that indicates development is possible unless detailed, investigative,

professional plans are presented, and agreed, by CBC in the first instance. These must establish exactly what is buried and how it could be made safe. We expect this would mean removal and many large vehicles on Town Lane, with the inherent risks already known to LCC Highways. We would wish to see expert monitoring for potential contamination of the local watercourse, should the land be disturbed.

10. United Utilities: Comment that should the applicant receive Planning in Principle permission for this proposal, United Utilities will review the drainage element of any application for Technical Detail Consent in line with the surface water hierarchy. United Utilities will request evidence that the drainage hierarchy has been fully investigated and why more sustainable options are not achievable before a surface water connection to the public sewer is acceptable.
11. Contaminated Land Officer: Have made the following comments:

I am concerned about this proposal to develop housing on a former landfill site. There are known issues historically with landfill gas and asbestos in the site, which must be very carefully managed if the site is to be disturbed. There is also anecdotal evidence of historic illegal and unlicensed tipping activity at this site so the contamination status is not known.

If the site is to be developed, a comprehensive environmental ground investigation would be required strictly prior to any development. This would need to identify the risks to construction workers, future end users, and any neighbouring properties. It is highly likely that the development of the site would require significant remedial works to ensure the site is safe and suitable for development.

#### **PLANNING CONSIDERATIONS**

12. In terms of location, land use, and amount of development, the key consideration in the determination of this application is that the site is situated within an area designated as Safeguarded Land under policy BNE3 of the Chorley Local Plan 2012 – 2026.
13. Section 38(6) of the Planning and Compulsory Purchase Act 2004 sets out 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.
14. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
15. 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).
16. Core Strategy Policy 4 sets out the minimum housing requirements for the plan area and is assessed later within this report.
17. The site forms a very small section of a vastly larger area of safeguarded land, protected by policy BNE3 of the Chorley Local Plan 2012-2026, known as BNE3.10 'West of M61, Whittle-le-Woods' which covers land between Whittle-Le-Woods and the M61. Policy BNE3 indicates that development other than that permitted in the countryside whether Green Belt or Area of Other Open Countryside will not be permitted as shown on the policies map.

#### Other material considerations

18. 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:

1. Environmental - the protection of our natural, built and historic environment
2. Economic - the contribution to building a strong and competitive economy
3. Social - supporting strong, vibrant and healthy communities

19. 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).
20. 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.
21. 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.
22. Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes.
23. Paragraph 60 of the Framework reinforces that requirements represent the minimum number of homes needed.
24. 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*

25. It is therefore necessary to establish whether Chorley has a five year housing land supply (5YHLS) or not in order to determine whether Paragraph 11(d) of the Framework is engaged or not (commonly referred to as the 'tilted balance'). When engaged, the tilted balance changes the 'balancing exercise' which the Council must undertake in deciding whether or not to grant planning permission; from a neutral balance where if the harms outweigh the benefits planning permission is usually withheld, to a tilted balance where the harm should significantly and demonstrably outweigh the benefits for permission to be withheld. The tilted balance therefore increases the prospect of planning permission being granted because it 'tilts' the balance in favour of approving an application.
26. 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.
27. Recent appeal decisions concluded that it is appropriate to calculate the housing requirement against local housing need using the standard method, 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 is, therefore, engaged under paragraph 11(d) of the Framework.

*Emerging Central Lancashire Local Plan*

28. Chorley Council is working with Preston and South Ribble Councils to produce a Central Lancashire Local Plan (CLLP). Once adopted, this will replace the existing joint Core Strategy and Chorley Local Plan. The CLLP is at an early stage of preparation and consultation on Issues and Options closed in February 2020. The Central Lancashire Local Plan (CLLP) is at the Preferred Options Stage and public consultation on Preferred Options Part 1 closed in February 2023.
29. The application site, including land to the north of Town Lane, was submitted for consideration as part of the Local Plan process. The site was included in the Preferred Options Part 1 consultation as part of the larger site ref CH/HS1.53. Responses to this consultation are being reviewed and will inform Preferred Options Part 2, which is expected later this year. A number of assessments are ongoing and will inform decisions made on sites to be taken forward as part of the development of the CLLP
30. 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. Limited weight can be attached to the emerging local plan at this stage.

*Summary - the tilted balance*

31. 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.
32. Policy 4 of the Central Lancashire Core Strategy and policy BNE3 of the Chorley Council Local Plan are the most important policies for determining the planning application.
33. 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. 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.
34. The Borough cannot show a 5-year HLS and as such Core Strategy Policy 4 is out-of-date.
35. Paragraph 143(d) of the Framework sets out that when defining Green Belt boundaries, plans should make clear that safeguarded land is not allocated for development at the present time. Planning permission for the permanent development of safeguarded land should only be granted following an update to a plan that proposes the development. Policy BNE3 is consistent with the Framework in this respect. However, the boundaries of the settlements and safeguarded land to which they relate were established based on meeting the housing requirement in Policy 4 of the CS, which is out of date. This means that Policy BNE3 is also out of date.
36. Taking the development plan as a whole, the most important policies for determining this appeal are out-of-date and the tilted balance applies.
37. In accordance with the Framework, planning permission should be granted for the proposal, unless:
  - a. 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

- 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.

#### *Other issues*

38. Issues such as land contamination, ecological impacts, flood risk and highway safety and traffic congestion raised within the representations and by the Parish Council are technical matters that could only be assessed as part of any future detailed consent application. They fall outside of what the Council can assess as part of this current application, as set out in the above paragraph from the NPPG.

#### Applying the tilted balance

39. 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.
40. As previously noted in this report, the scope of a permission in principle application is limited to location, land use and amount of development. Other matters such as highway safety, contaminated land, and biodiversity. can only be considered at the technical details consent stage.
41. With regards to the amount of development, whilst some changes may be required to ground levels to form a development platform, it is considered that it is possible that up to nine detached dwellings could be adequately located on the application site with space for vehicle manoeuvring / parking, gardens and landscaping. This is, however, without the benefit of being able to consider detailed ground investigations and other physical constraints to development.
42. The adverse impacts of the development relate solely to its conflict with policy BNE3 in locational and land use terms. Whilst BNE3 is broadly consistent with the Framework it is also out of date as it safeguards land based on the housing requirement in policy 4, which is also out of date. The conflict with policy BNE3 is, therefore, only afforded limited weight in the planning balance.
43. In terms of benefits, there would be some moderate economic benefits through the creation of work in the construction industry and demand for services and products within the local supply chain, whilst there would be some increase in the expenditure available to local businesses and tax income for the local authority from Council Tax through the end use.
44. There would be a clear and significant social benefit of the development in contributing towards the shortfall in housing land supply in the Borough.
45. The proposal would boost the supply of housing, albeit on a small scale, in a situation where there is no five-year supply and, as a result, significant weight can be given to the social benefits of the proposal. It is considered that the economic benefits for proposal would be modest and so can be afforded moderate weight.
46. It is not considered that the adverse impacts of the proposed development relating to the conflict with policy BNE3 of the Local Plan would significantly and demonstrably outweigh the economic and social benefits of the proposal when applying the tilted balance. The scheme therefore benefits from the presumption in favour of sustainable development, and as such, the proposal is recommended for approval.

#### Other matters

47. Contaminated land: It is known that the site has been used for landfill purposes in the past and that the levels and type of contamination that may exist are not recorded. There would

clearly be great difficulties in addressing the necessary levels of remediation that would be required to carry out a residential development on this land, and that such remediation may be ultimately prohibitive. However, this matter is not for consideration as part of an application for permission in principle and could only be examined as part of a technical details consent application that must follow on from any grant of permission in principle should the development of the site be pursued.

## **CONCLUSION**

48. The principle of erecting up to 9no. detached dwellings at the application site is considered acceptable in terms of location, land use and the amount of development, as the adverse impacts of the proposal do not significantly and demonstrably outweigh the economic and social benefits it would deliver. It is, therefore, recommended that permission in principle is granted, subject to conditions.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 80/00797/FUL      **Decision:** REFFPP      **Decision Date:** 20 October 1980  
**Description:** Improvement to vehicular access, tipping inert filling material and re-grading/re-soiling site,

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

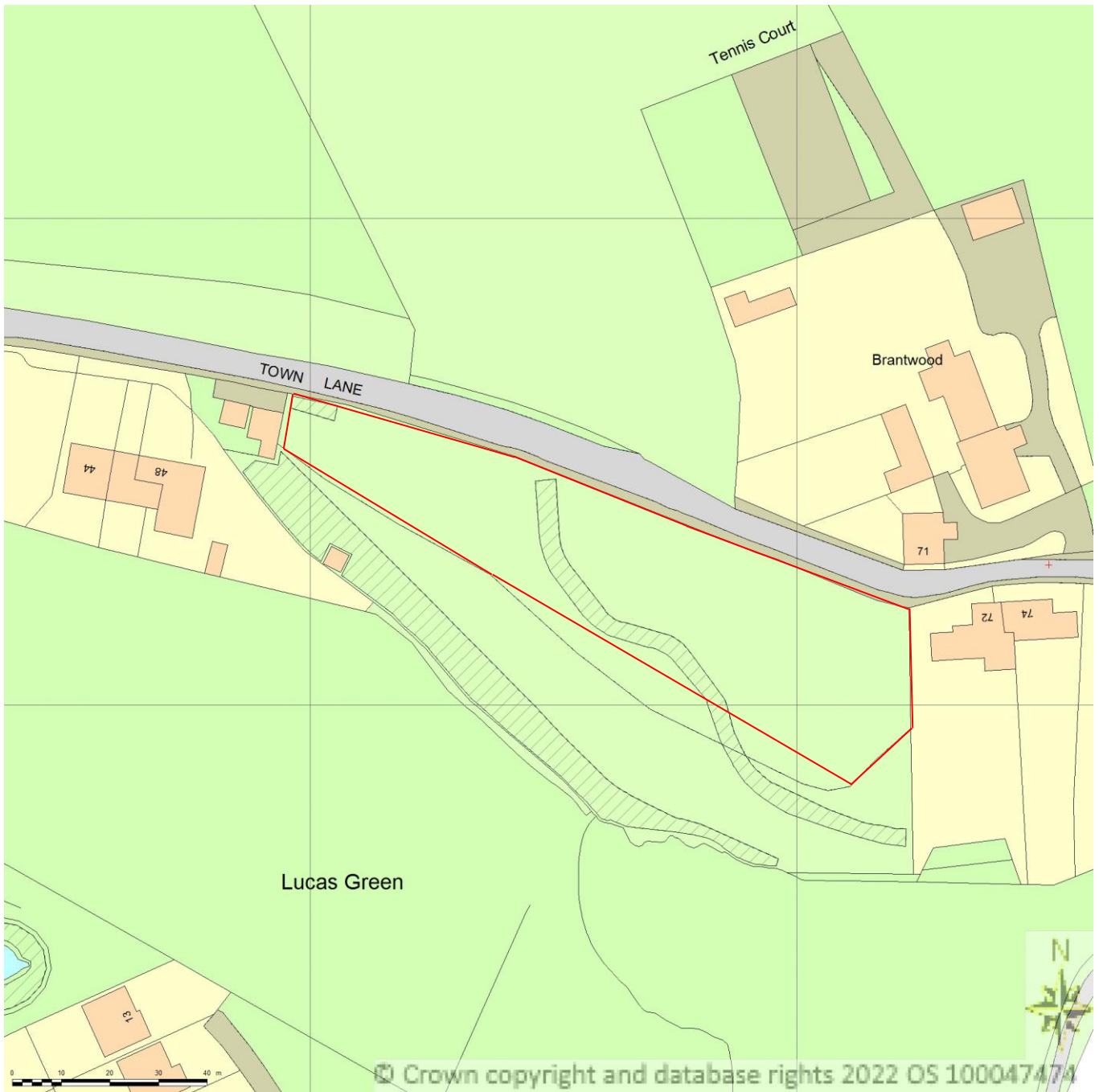
### Suggested conditions

To follow

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**SITE LOCATION PLAN**  
**AREA 5 HA**  
**SCALE 1:1250 on A4**  
**CENTRE COORDINATES: 358349, 421032**



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Planning  
Committee Meeting

28 March 2023



# Item 3b

23/00163/PIP

Land 85M East Of 48 Town Lane, Whittle-Le-Woods

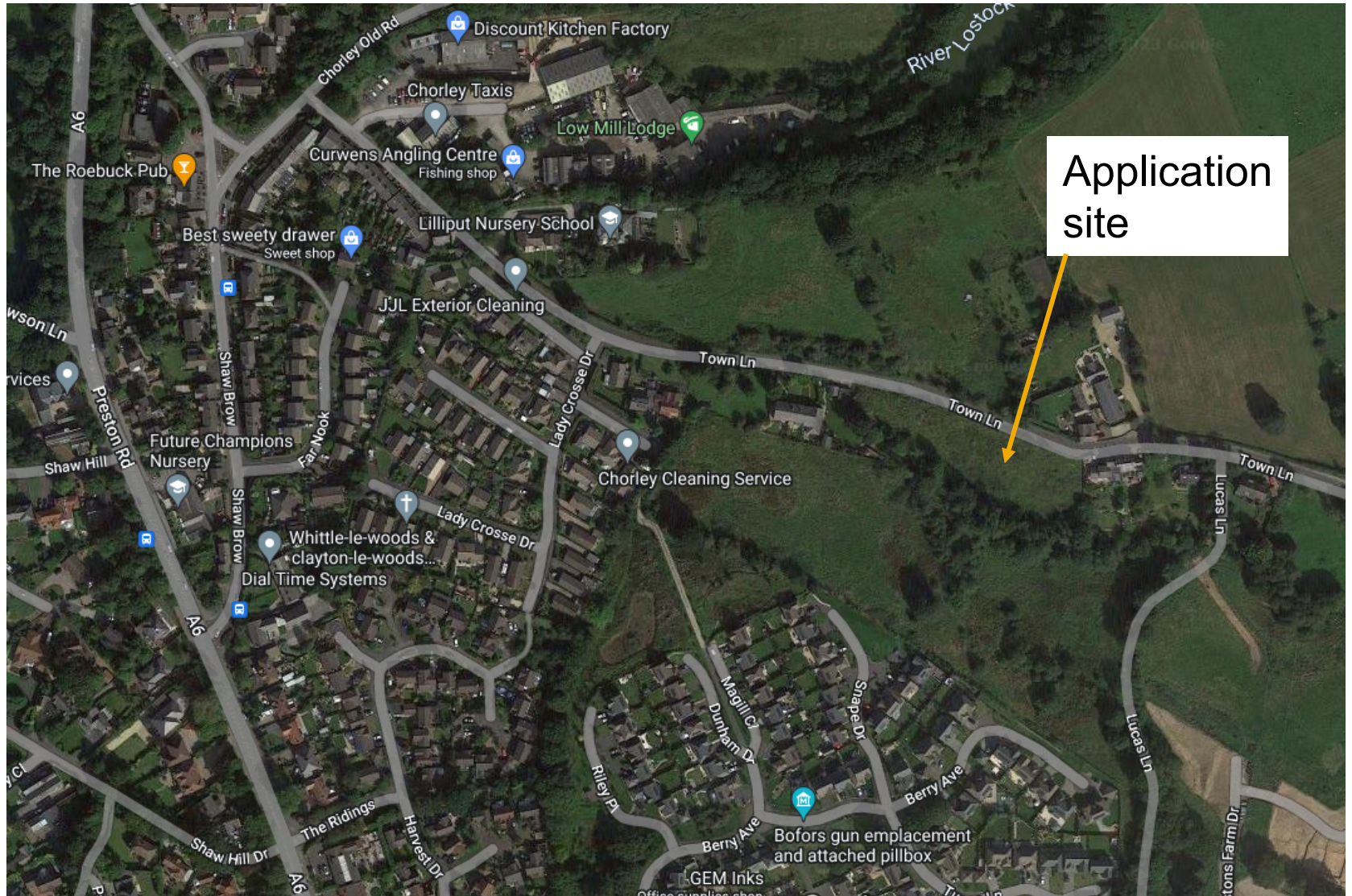
Permission in principle application for up to 9 no.  
detached dwellings



# Location plan



# Aerial photo





# Site photo



# Site photo





# Site photo



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**ITEM 3b - 23/00163/PIP – Land 85M East Of 48 Town Lane, Whittle-Le-Woods**

**The recommendation remains as per the original report**

(4)No. further letters of objection have been received setting out the following issues:

Highway safety impacts

Presence of contaminated materials and gases and associated risks to human health and ecology.

Surface water drainage issues.

Unstable land issues

Presence of Japanese knotweed

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**APPLICATION REPORT – 22/01315/FUL**

**Validation Date: 11 January 2023**

**Ward: Croston, Mawdesley And Euxton South**

**Type of Application: Full Planning**

**Proposal: Erection of two detached dwellings and garages**

**Location: Mayfield Blue Stone Lane Mawdesley Ormskirk L40 2RH**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr Max Halsall**

**Agent: Miss Courtney Evason Steven Abbott Associates**

**Consultation expiry: 16 March 2023**

**Decision due by: 31 March 2023**

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**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 and comprises an open area of garden land previously belonging to a property known as Mayholm, which was recently demolished and redeveloped with a pair of semi-detached dwellings. The land is located between the residential dwelling at Mayfield to the north and the garden area of Bluestone Barn to the south. The site is bound by Blue Stone Lane to the west and there is open agricultural land to the east. The site is occupied in part by a brick outbuilding located to the south west corner of the site that is immediately adjacent to the highway.
3. The area is rural in character and the topography generally flat with clusters of dwellings and agricultural buildings, whilst there is a more built up area of ribbon development to the south west along Dark Lane, Ridley Lane and Bradshaw Lane. The character of the buildings in the locality is mixed with traditional agricultural style buildings and dwellings of both modern and traditional design style in evidence close to the site.
4. It is noted that two separate permission in principle applications for the development of two dwellings and a single dwelling at the site were refused by Chorley Council in 2021. The decision to refuse application reference 21/00999/PIP, which was for the erection of one dwelling, was the subject of an appeal that was allowed by a Planning Inspector. This decision established that the site is an infill site in the Green Belt.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. This application now seeks planning permission for the erection of two detached dwellings and garages. The dwellings would be of a traditional design style and would be positioned to face Blue Stone Lane from which each dwelling would gain access. The dwelling at plot 2 would include a gatehouse feature in place of the existing brick outbuilding to the south west of the site. Access to this block would pass through the gatehouse. The double garage at plot 1 would be positioned to the front of the dwelling adjacent to the boundary with plot 2.

**REPRESENTATIONS**

6. Representations in objection have been received from 3no. individuals raising the following issues:
  - Out of character with the rural location and type of development nearby.
  - Adverse impact on highway safety.
  - This application is not pursuant to a permission in principle and must be considered on its merits in relation to both principle and detail.
  - Wildlife and ecology impacts.
  - Trees were felled and cleared prior to making the application.
  - Works have commenced.
  - Lack of available school places to accommodate new residents.

**CONSULTATIONS**

7. Lancashire County Council Highway Services: Have no objections subject to conditions, and specifically the provision of a construction traffic management plan (CTMP) prior to commencement of the development.
8. Greater Manchester Ecology Unit: Have no objections subject to conditions and specifically the provision of a construction environmental management plan and landscaping scheme for the biodiversity enhancement of the site.
9. United Utilities: Have no objection subject to a condition requiring a sustainable surface water drainage scheme and a foul water drainage scheme.
10. Mawdesley Parish Council: Would like to return a very strong objection to the above planning application. They have many concerns regarding the development, which are detailed as follows:

We are aware the developer submitted a 'permission in principle' application for two dwellings on this site in February 2021 - 21/00160/PIP which was refused by Chorley Council who quoted - "The proposed development would be located within the Green Belt as defined by the Chorley Local Plan 2012 - 2026. The proposed development is not considered to represent limited infilling and would be inappropriate development in the Green Belt and, therefore, harmful by definition. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm caused through encroachment. The proposal is, therefore, contrary to the National Planning Policy Framework and policy HS7 of the Chorley Local Plan 2012 - 2026."

We wish to reiterate our comments when we originally objected i.e., the limited infill has already been used; the site is on a sharp bend in a dangerous location and the proposed development would be over development of Greenbelt". Furthermore, in respect of access and traffic, it should be noted that one of the entrances to the proposed site is immediately after a blind bend, just in front of the building used to house the gas valves - this is a massive safety issue should there be an accident there. The other entrance is right on the crown of the bend, where there have been accidents in the past, hence the large buttress constructed in front of Bluestone Barn.

We are aware the developer subsequently applied for permission in principle on the same site for one dwelling in August 2021 - 21/00999/PIP which was again refused by Chorley Council but was taken to appeal by the applicant and subsequently the PIP for one dwelling was granted by the Secretary of State.

It should also be noted that the site in question also does not feature in Chorley's Council's list of 'Preferred Options' in relation to the Local Plan consultation document.

**PLANNING CONSIDERATIONS**

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

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

*138. Green Belt serves five purposes:*

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

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

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

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

- a) buildings for agriculture and forestry;*
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;*
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- e) limited infilling in villages;*
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and*
- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - not have a greater impact on the openness of the Green Belt than the existing development; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

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

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

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

*Within smaller villages limited infilling for housing will be permitted providing the applicant can demonstrate that the following criteria are met:*

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

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

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

19. In considering the matter of infill it is material to this case that permission in principle for the erection of one dwelling was granted on appeal by a Planning Inspector on behalf of the Secretary of State in July 2022. The decision sets out the following assessment in relation to the matter of infill:

*“The appeal site is a parcel of land, located adjacent to a bend in the road between the side garden of 2 Bluestone Barn and the garden of the southern most property of a pair of semi detached dwellings. A detached outbuilding is located on the south western edge of the appeal site, positioned perpendicular to Bluestone Barn. Whilst this is orientated at a slightly different angle to the semi-detached dwellings to the north, it still faces onto the bend in the road and gives the impression of development continuing around the bend. Further along the road and beyond the bend is a sub-station. This is located within the verge between the appeal site and the road. Beyond 1 and 2 Bluestone Barn there is a further dwelling known as the Owls.*

*There is a gap between the Owls and the dwelling to the west, however this is small with dwellings positioned tight to the boundary on either side. Nevertheless, the prevailing character comprises a clearly identifiable built-up frontage located along this side of the road. The appeal site lies within this frontage, with buildings to either side. The site does not extend this frontage.*

*The depth of the appeal site is reflective of its neighbours to either side. The width of the site, between 2 Bluestone Barn and the boundary with the semi-detached dwelling to the north is similar to that of Bluestone Farm opposite, as well as that of 2 Bluestone Barn. However, I accept that due to the position of the latter, adjacent to the bend, much of this width does not bound the road edge. Nevertheless, a dwelling located within the appeal site would not appear to be sited on an overly large plot in comparison to the surrounding properties. Having regard to the site’s surroundings and notwithstanding the limitations of the first stage of the permission in principle route, I see no reason why a single dwelling of an appropriate design would not complement the character and setting of the existing buildings, in accordance with CLP Policy HS7.*

*I therefore conclude that the proposed development of a single dwelling on the appeal site can be regarded as ‘limited infilling in villages’, meeting the exception listed at paragraph 149. e) of the Framework.”*

20. The surrounding conditions have not altered materially since this appeal decision was issued, other than outline planning permission having been granted for a dwelling on land to the west of 1 The Owls, which would not alter the outcome of the Inspector’s assessment. It is noted that two dwellings are proposed in this instance, the details of which have been provided. The dwellings would fit within the same frontage and on the same plot of land as the appeal site, whilst they would be positioned to face onto the highway. They would be set within plots that would be of similar proportions to others in the locality. This would reflect the prevailing pattern of development along this part of Blue Stone Lane, and it must, therefore, be considered that the proposed development would not extend the frontage and would fill a small gap in an otherwise built-up street frontage regardless of whether the development was for a single dwelling or two dwellings as is the case here. The impact of the development on the character of area is considered separately below.
21. The proposal is, therefore, not considered to be inappropriate development within the Green Belt and is, therefore, in accordance with the Framework, Policy 1(f) of the Central Lancashire Core Strategy and Policy HS7 of the Chorley Local Plan 2012 - 2026. As the proposal is considered to comply with paragraph 149. e) of the Framework then it is not necessary to consider the effect of the proposed development on Green Belt openness.

Impact on character and appearance of locality

22. The application site is a parcel of land, located adjacent to a bend in the road between the side garden of 2 Bluestone Barn and the garden of the southern most property of a pair of semi detached dwellings. A detached outbuilding is located on the south western edge of the site, positioned perpendicular to Bluestone Barn. Although there is a wedge of land

between the carriageway at Blue Stone Lane and the application site the dwellings would occupy a prominent position and would be visible in the street scene.

23. The proposed dwellings are positioned to face the highway and would be set back a similar distance from it as the dwellings to the north of the site. They would be set within plots that are of similar size to other plots in the locality, whilst the dwelling to plot ratio would be acceptable with adequate space for parking and private amenity. As a result they would form a continual line of development in a logical pattern that reflects the pattern of development in the vicinity of the site, whilst creating an element of active frontage in this location.
24. Space for landscaping would exist along the site frontage, which would allow for a soft edge to be created reflective of local character. No details of landscaping have been provided at present, however, this will be an important element in determining the final details of the scheme to ensure that the development blends in with the rural character of the location, where native hedgerows and trees to frontages are characteristic. It would be expected that existing trees and hedgerow species are retained where possible to help the development to blend into the surroundings. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a detailed landscape scheme to be submitted.
25. The dwellings themselves would be detached two storey properties with accommodation in the roof space. They would be relatively tall in height, however, they are of a typically domestic scale and are reflective of other such examples in the wider locality, where there is a range of dwelling types and design styles. As the dwellings would be set back within the site approximately 10m from the highway they would not be overly imposing, whilst landscaping would help to filter views of the site. The dwellings would be faced in brick with roofs laid in slates. This would reflect local character and would provide a suitable finish. The dwellings would comprise front gables, canopy porches, chimney stacks, stone heads and cills and brickwork detailing. These features would add interest and would reflect some local design characteristics. Their appearance would be appropriate in the context of the site.
26. The existing outbuilding to the south west of the site would be converted to form a gatehouse with vehicular access passing through the centre. This would provide storage serving plot 2. The gatehouse would be converted using the existing materials and would incorporate gates and a decorative clock tower. This would provide an entrance feature and sense of arrival to the dwelling a plot 2. It would be a focal point on Blue Stone Lane travelling east and would result in a visually attractive feature in the street scape. A new garage would be added to the front of plot 1. This would be a simple design with materials and some features that match the dwelling, which is appropriate. The position to the front is not uncommon in this area, and it would significantly less prominent than the gatehouse as it would be set behind the landscaped frontage.
27. Overall the proposed development would 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 in line with policy BNE1 of the Chorley Local Plan 2012-2026.

#### Neighbour amenity

28. 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.
29. The proposed dwellings would be located between residential properties, with a dwelling on the opposite side of Blue Stone Lane. The dwelling at plot 2 would be located to the north of 2 Bluestone Barn. It would be positioned adjacent to a garden area at this property and the proposed dwelling would be approximately 9m from the garden boundary at its nearest point. The windows at first floor in the side elevation of the proposed dwelling facing the garden at 2 Bluestone Barn would not serve habitable rooms, whilst those in the ground floor would be screened by boundary treatment, therefore, no impact on privacy would occur. The dwelling would not face any windows at 2 Bluestone Barn and would be

positioned approximately 22m from it at its nearest point. Given the positioning of the proposed dwelling relative to 2 Bluestone Barn and the degree of separation it is not considered that there would be any unacceptably adverse impact on the amenity of the occupiers of 2 Bluestone Barn.

30. The dwelling at plot 1 would be located to the south of the nearest dwelling at Mayfield. It would have a side elevation facing the side elevation at Mayfield and would be positioned approximately 4m from the garden boundary and 11m from the dwelling itself at the nearest points. The windows at first floor in the side elevation of the proposed dwelling facing Mayfield would not serve habitable rooms, whilst those in the ground floor would be screened by boundary treatment, therefore, no impact on privacy would occur. The positioning of the proposed dwelling relative to Mayfield and the degree of separation is such that it is not considered that there would be any unacceptably adverse impact on the amenity of the occupiers of this property.
31. The proposed dwelling would be located over 20m from the boundary with Bluestone Farm on the opposite side of Blue Stone Lane, and at further distance from the property itself. As such there would be no unacceptable impact on the amenity of the occupiers of this dwelling by virtue of the degree of separation. The relationship between the proposed dwellings themselves is considered acceptable such that future occupiers would enjoy an adequate level of amenity.
32. On the basis of the above it is considered that the proposed development would have no unacceptably adverse impact on the amenity of the occupiers of any existing or future occupiers and complies with policy BNE1 of the Chorley Local Plan 2012-2026.

#### Highway safety

33. The proposed development has been considered by Lancashire County Council (LCC) as local highway authority for the area and advisors to the local planning authority. Blue Stone Lane at this location changes to a 30mph limit from 40mph and is on a sharp bend. Therefore, any parking on the highway at this location is a highway safety concern as it would obstruct the free flow of vehicles and pedestrians as part parking on the footway is likely. It is proposed that both dwellings have their own separate private access from the highway with off street parking and manoeuvring areas. The site shows turning within curtilage to allow for vehicles to enter and exit in forward gear which is acceptable.
34. For the installation of the access at plot 1 the applicant would need to enter into the appropriate legal agreement with LCC for the vehicle crossing. The material for the driveway is not detailed and it is requested to be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials. This is to prevent loose surface material from being carried on to the public highway and causing a potential source of danger to other road users.
35. The gatehouse would have a height restriction which allows for smaller rigid LGVs to gain access but not larger vehicles or construction vehicles. LCC did raise a highway safety concern at large HGVs being unable to access this dwelling and parking on the bend forcing vehicles to overtake and into oncoming vehicles in the opposing lane and, also obstructing the access to Blue Stone Barn. However, it is not considered that single dwellinghouses should make provision for HGV access, and the occasions for such a need would be infrequent.
36. Given the nature of the highway in this location and restricted level of access and parking, it is considered that the applicant should provide a construction traffic management plan (CTMP) prior to commencement of the development, which details the access from plot 1 being formed in the first instance. It is requested that all vehicles and deliveries are accommodated within the site and there is no loading or unloading in the highway and no parking on the highway.
37. It is recommended that the CTMP is required by condition attached to any grant of planning permission. The access for plot 1 is to be used for the construction of plot 2 even if they are

in different ownership. This is to enable plot 2 to be built without parking or un/loading from the highway. This is requested to be conditioned. There is also a concern with the bend and debris on the highway and a wheel wash is requested along with car parking for construction/ contractor vehicles to sub-base and turning within curtilage maintained to enable all construction vehicles to access and egress in forward gear.

38. LCC Highway Services do not have any objections in principle to the proposed erection of two detached dwellings and garages.

#### Ecology

39. The information submitted with the application includes an ecology assessment. This has been reviewed by Greater Manchester Ecology Unit (GMEU) who have confirmed that the assessment has been undertaken by a licensed and experienced ecological consultancy whose work is known to the Ecology Unit. The assessment found the site to have some limited ecological value appearing to be part of a former garden or allotment.
40. The Assessment found that one of the buildings on site, identified as Building 1 and described as a double garage, to have some potential to support bats. The Assessment states that this building would not be affected by the proposal but this differs from the submitted plans that show this building being renovated with the roof slates and ridge tiles being stripped amongst other works. The Assessment does recommend that if works are required to this roof then all works should be undertaken between November and February inclusive. To ensure that this recommendation is followed, it is recommended that condition be attached to any grant of planning permission requiring a construction environmental management plan (CEMP: biodiversity) to be submitted prior to any development taking place.
41. The ecology assessment was undertaken outside the bird breeding season but does identify that common bird species may be using the site. As wild birds their nest and eggs are protected under the Wildlife and Countryside Act (1981) as amended, it is recommended that a condition be attached to any grant of planning permission requiring no removal of, or works to, any hedgerows, trees or shrubs, or works to or demolition of buildings or structures that may be used by breeding birds during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and structures for active birds' nests immediately before the vegetation is cleared or works commence. Alternatively, this requirement could be incorporated into the CEMP.
42. The proposed development should include measures to enhance biodiversity at the site in line with the provisions of policy BNE9 of the Chorley Local Plan 2012 – 2026. As no such measures or landscaping appear to have been included in the proposal and it is recommended that a condition be attached to any grant of planning permission requiring a scheme for biodiversity enhancement measures to be submitted, which should be reflected in a detailed landscaping scheme for the site. On the basis that impacts on protected species are mitigated and landscaping details for the site and associated biodiversity enhancement measures are provided the proposed development is considered to be in line with policy BNE9 of the Chorley Local Plan 2012 – 2026.

#### Impact upon heritage assets

43. The application site is located approximately 18m to the east of the grade II listed building of Bluestone Farm at its nearest point. The proposed dwellings themselves would be located over 30m away from Bluestone Farm, whilst Blue Stone Lane lies between with some intervening vegetation. It is considered that the degree of visual separation between the proposed housing to Bluestone Farm, and the presence of the intervening highway is such that the proposed development would not harm the contribution made by the current setting. It is concluded, therefore, that the proposed development would not have any impact on the significance of Bluestone Farm, which includes the contribution made by its setting.
44. As there would be no harm to the heritage asset or its setting, there would be no conflict with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National



Planning Policy Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012-2026.

#### Flood risk and drainage

45. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
46. 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:
- into the ground (infiltration);
  - to a surface water body;
  - to a surface water sewer, highway drain, or another drainage system;
  - to a combined sewer.
47. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that includes details of an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.

#### Sustainability

48. 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 1<sup>st</sup> 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.”*

49. 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.

Public open space (POS)

50. 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.
51. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
52. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
53. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
54. Notwithstanding this, the Council must also decide how much weight to give to the benefit of receiving a payment for 1 or 2 dwellings. It is, therefore, considered that the benefit of securing a public open space contribution on the basis of a two dwellinghouses in this case, would not outweigh the high cost of managing the end to end process of delivering those improvements, and would not be commensurate to the benefit.
55. Therefore, a public open space commuted sum is not requested for this scheme.

Community Infrastructure Levy

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 will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Other matters

57. Trees were felled and cleared prior to making the application: Any tree felling prior to submitting an application is regrettable, however, this does not constitute development and in this instance the trees were not protected by Tree Preservation Orders.
58. Works have commenced: Any works that are carried out prior to obtaining planning permission are done so at the developers own risk.
59. Lack of available school places to accommodate new residents: It is not considered that the addition of two dwellings would have a material impact on the provision of available school places within the Borough.

**CONCLUSION**

60. The proposed development would not be inappropriate development in the Green Belt and there would be no unacceptable detrimental impact on the character and appearance of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition, the proposed development would not have an unacceptable impact on highway safety, ecology or any heritage assets. On the basis of the above, it is recommended that planning permission be granted.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 21/00160/PIP      **Decision:** REFPIP      **Decision Date:** 30 March 2021  
**Description:** Permission in principle application for the erection of two dwellings

**Ref:** 21/00999/PIP      **Decision:** REFPIP      **Decision Date:** 19 October 2021  
**Description:** Permission in principle application for the erection of one dwelling

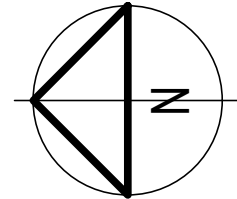
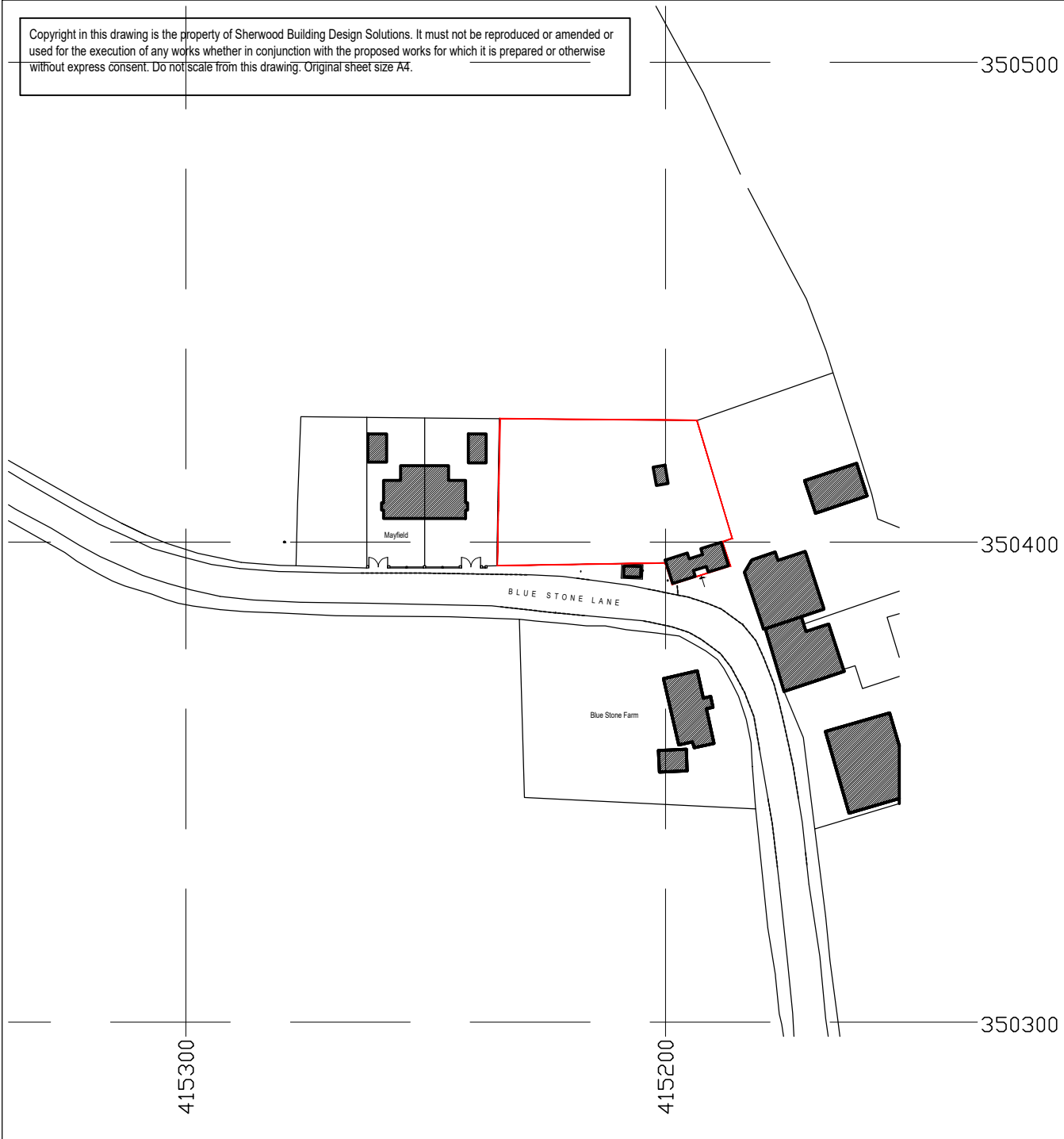
**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless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

Suggested conditions

To follow

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Status: **Planning & Building Regulations**

Client: **M & P Projects Ltd**

Project: **Mayfield, Blue Stone Lane, Mawdesley**

Title: **Location Plan**

Scale: 1/1250 @ A4	Date: December 2022	Drawn: Rob Sherwood
Drawing Number: <b>2022-84-01.1</b>		Revision:

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## Planning Committee Meeting

28 March 2023



# Item 3e

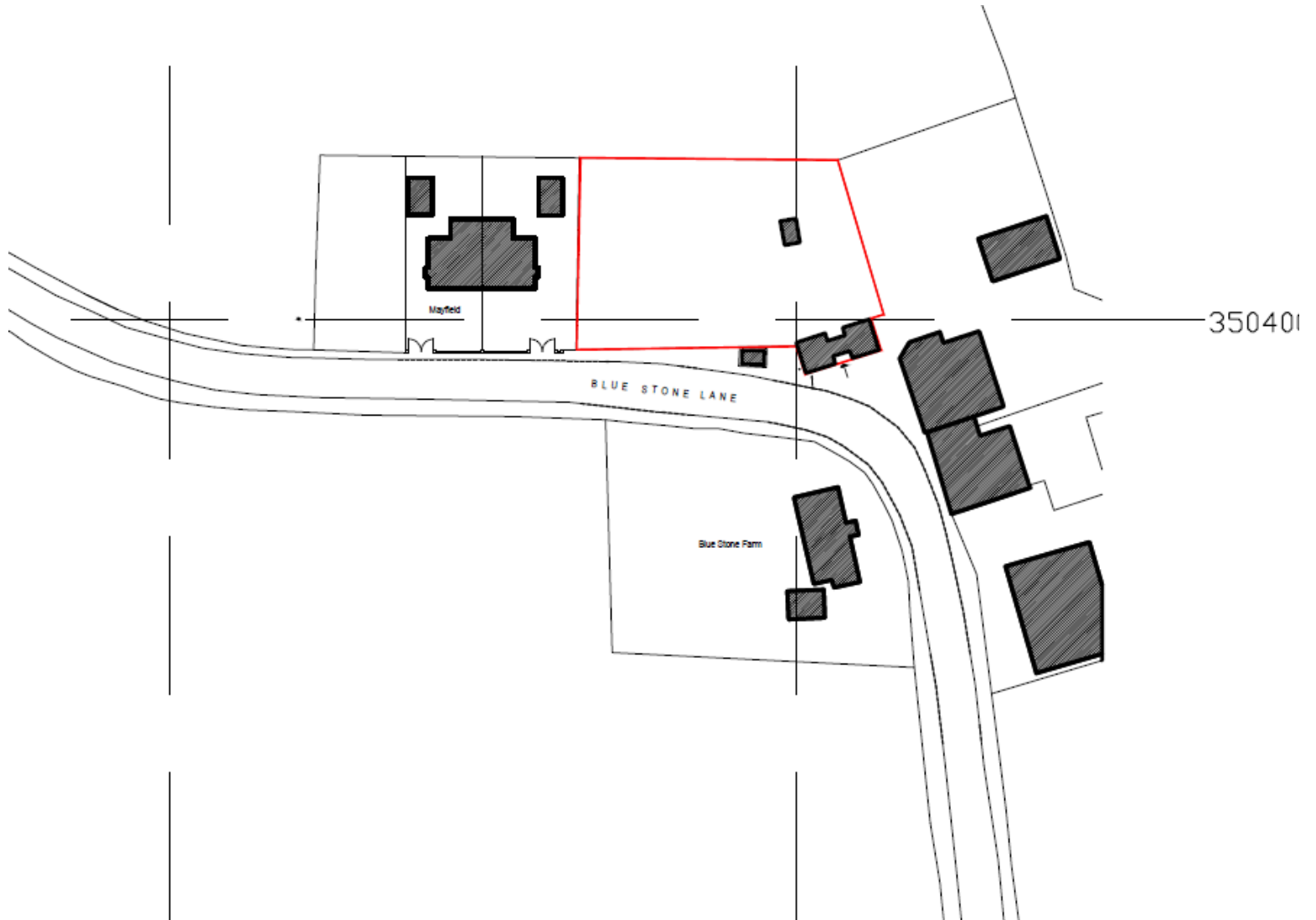
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Mayfield, Blue Stone Lane, Mawdesley

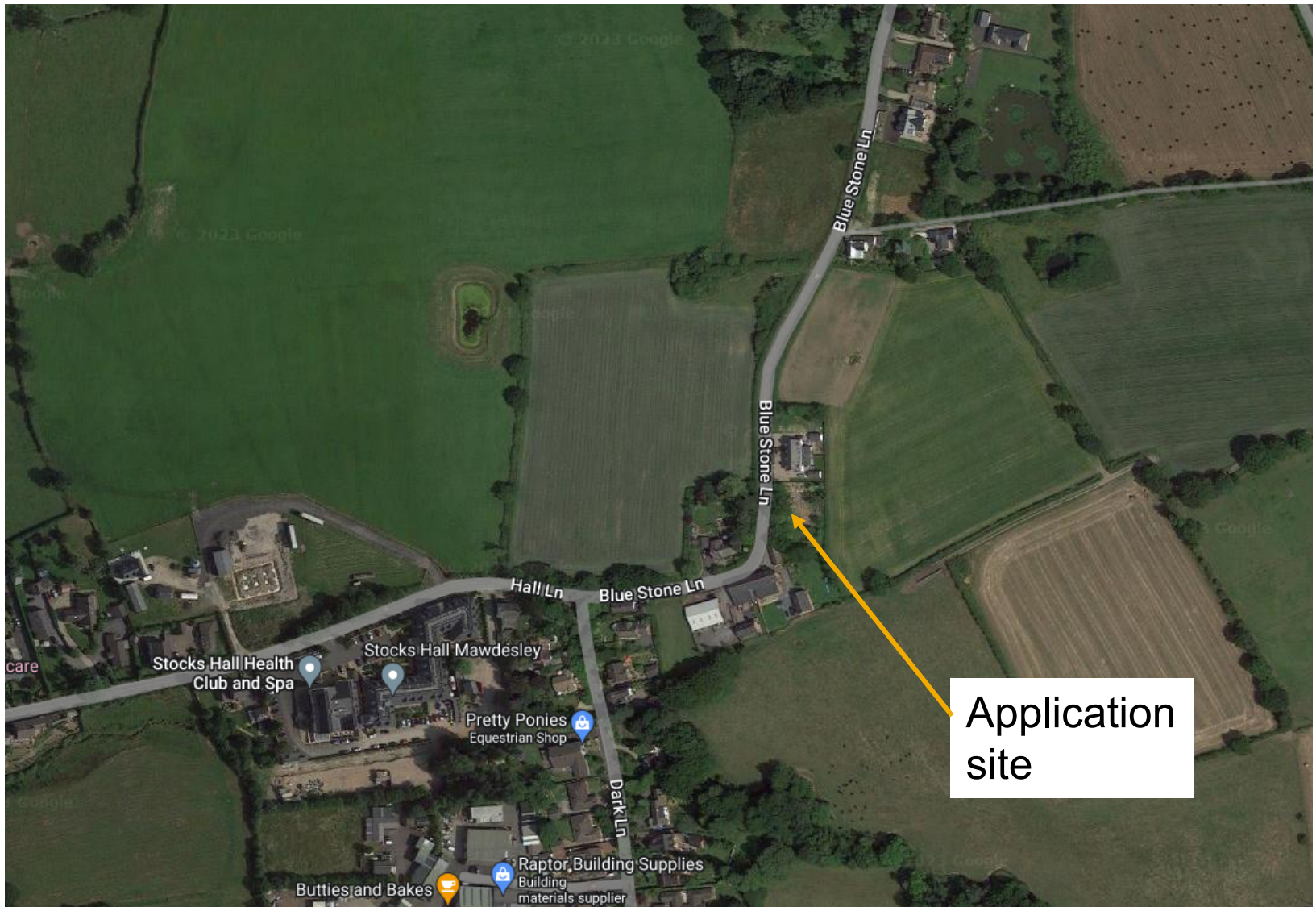
Erection of two detached dwellings and garages



# Location plan



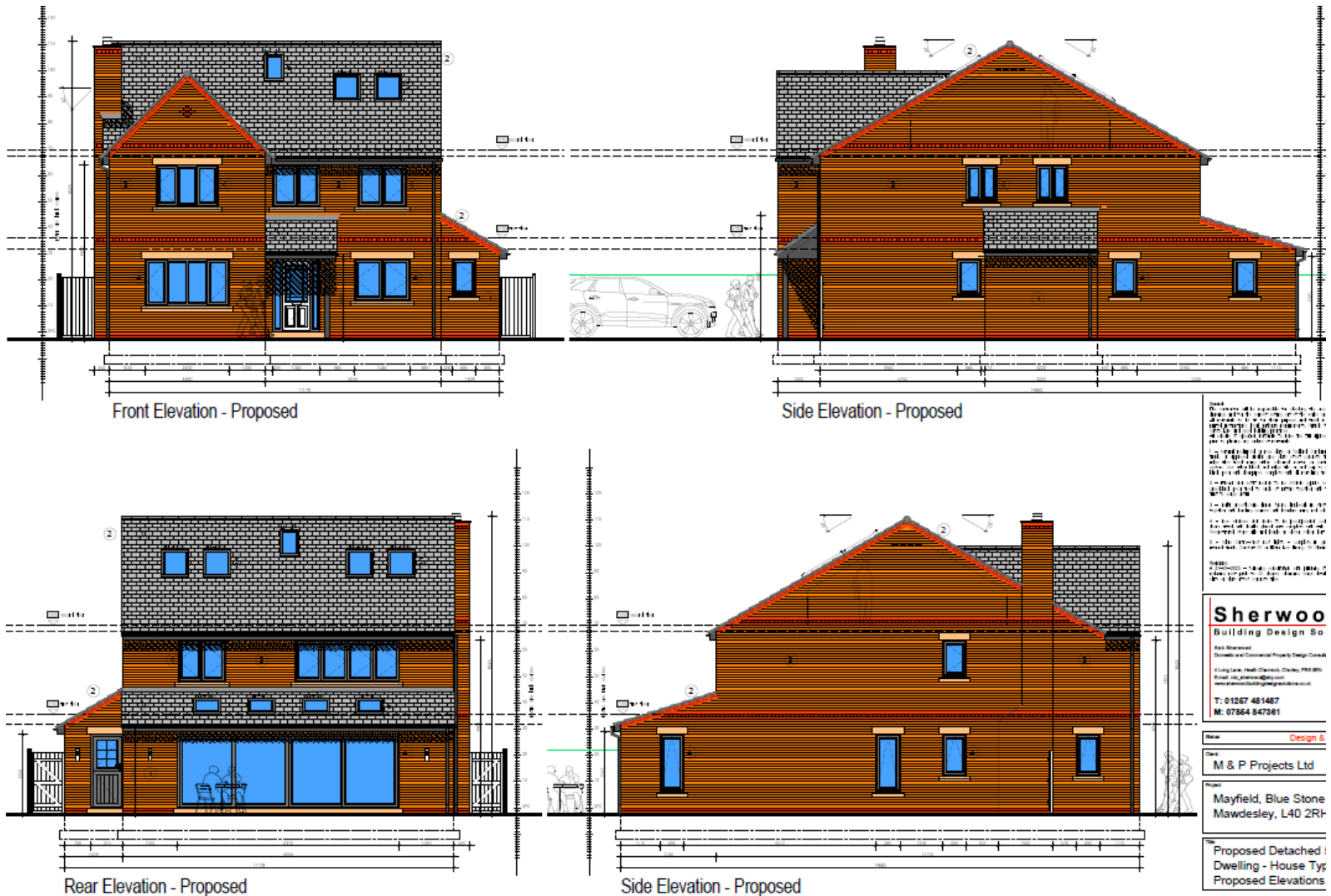
# Aerial photo



# Site plan



# Proposed elevations type 1



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 Checked by: [Name] 12/10/2024  
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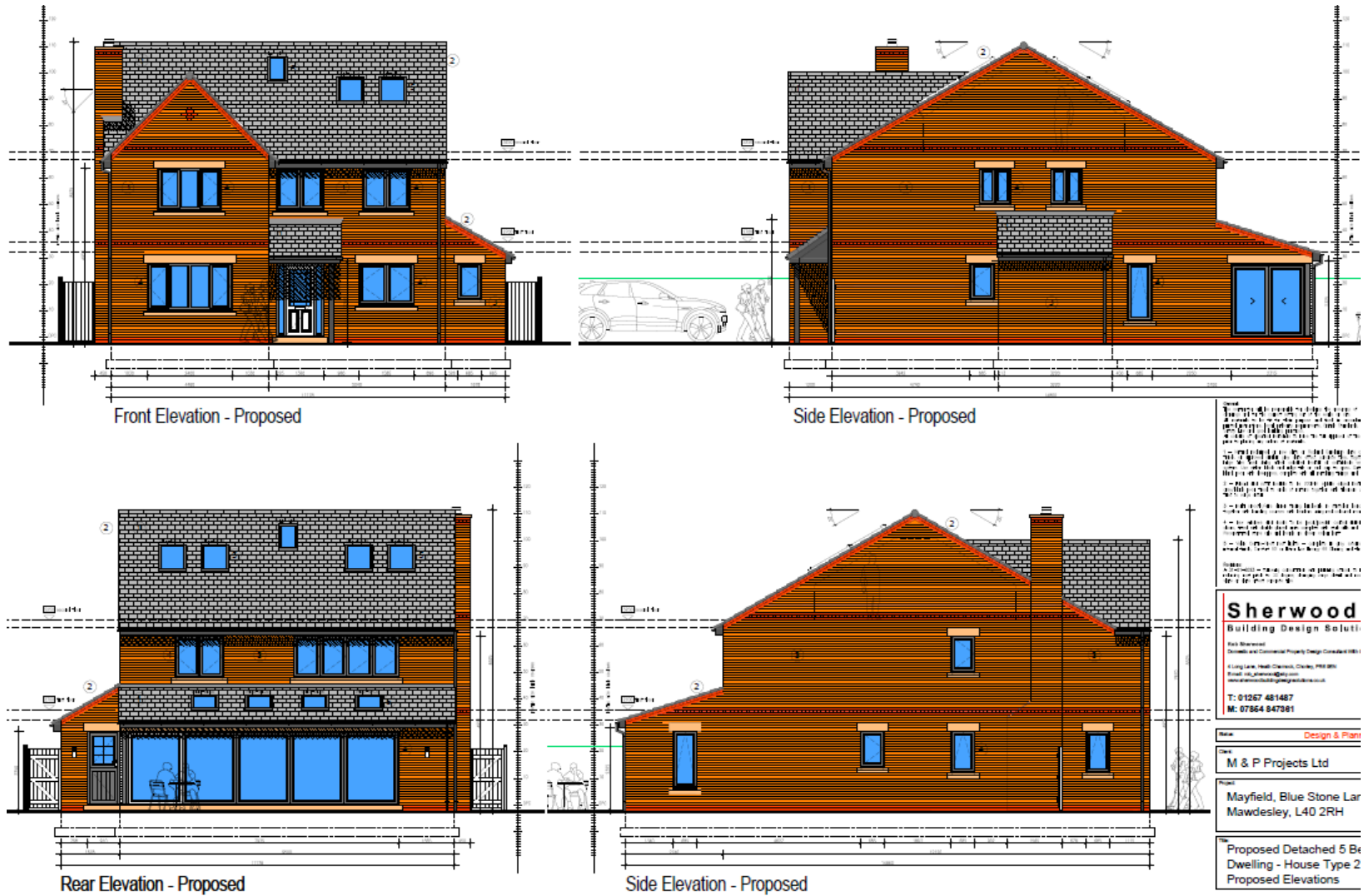
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Scale: Design &  
 Date: M & P Projects Ltd  
 Project: Mayfield, Blue Stone Mawdesley, L40 2RF

Proposed Detached Dwelling - House Type  
 Proposed Elevations



# Proposed elevations type 2

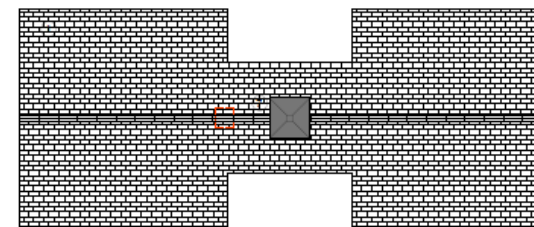
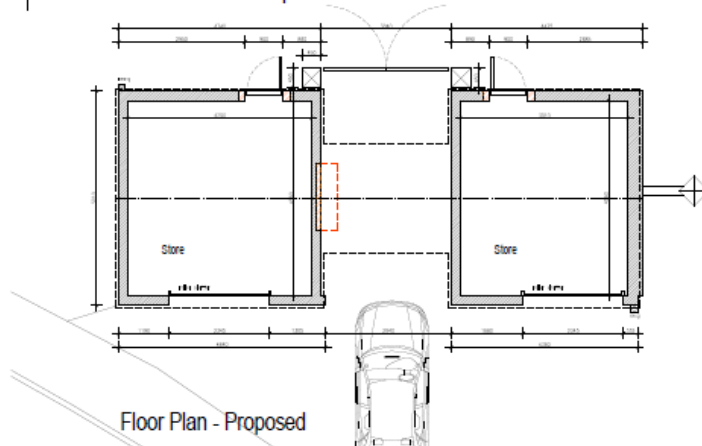
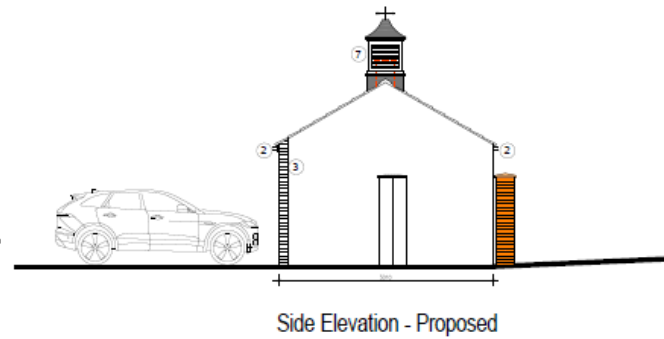
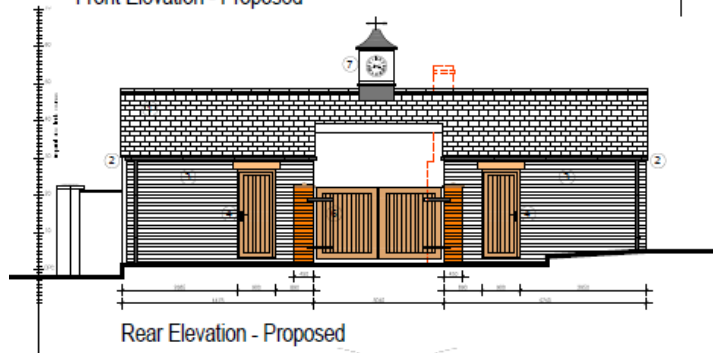
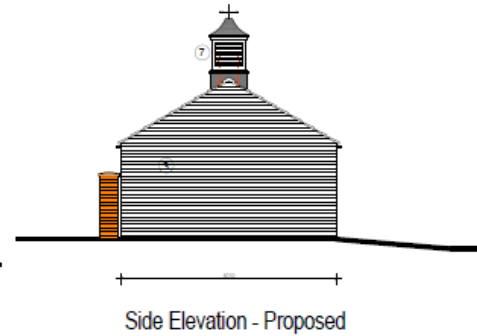
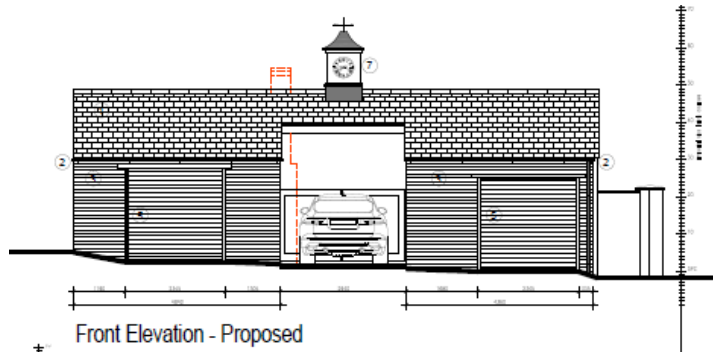


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Date: Design & Print  
 Client: M & P Projects Ltd  
 Project: Mayfield, Blue Stone Lar Mawdesley, L40 2RH  
 Title: Proposed Detached 5 Br Dwelling - House Type 2 Proposed Elevations  
 Scale: 1:50 @ A1 Date: October 2022

# Proposed gatehouse



# Site photo





# Site photo





# Site photo





# Site photo



# Gatehouse building from Blue Stone Lane





# Blue Stone Lane looking south





# Site frontage



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**ITEM 3e - 22/01315/FUL – Mayfield, Blue Stone Lane, Mawdesley**

**The recommendation remains as per the original report**

**The following conditions are recommended:**

No.	Condition																											
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																											
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 707 1305 1178"> <thead> <tr> <th data-bbox="320 707 715 739">Title</th> <th data-bbox="715 707 1003 739">Drawing Reference</th> <th data-bbox="1003 707 1305 739">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 739 715 770">Location Plan</td> <td data-bbox="715 739 1003 770">2022-84-01.1</td> <td data-bbox="1003 739 1305 770">23 December 2023</td> </tr> <tr> <td data-bbox="320 770 715 801">Proposed Block Plan</td> <td data-bbox="715 770 1003 801">2022-84-02 Rev.B</td> <td data-bbox="1003 770 1305 801">16 February 2023</td> </tr> <tr> <td data-bbox="320 801 715 866">House Type 1 - Proposed Floor Plans</td> <td data-bbox="715 801 1003 866">2022-84-03.1 Rev.A</td> <td data-bbox="1003 801 1305 866">08 February 2023</td> </tr> <tr> <td data-bbox="320 866 715 931">House Type 1 - Proposed Elevations</td> <td data-bbox="715 866 1003 931">2022-84-03.2 Rev.A</td> <td data-bbox="1003 866 1305 931">08 February 2023</td> </tr> <tr> <td data-bbox="320 931 715 996">House Type 2 - Proposed Floor Plans</td> <td data-bbox="715 931 1003 996">2022-84-04.1 Rev.A</td> <td data-bbox="1003 931 1305 996">08 February 2023</td> </tr> <tr> <td data-bbox="320 996 715 1061">House Type 2 - Proposed Elevations</td> <td data-bbox="715 996 1003 1061">2022-84-04.2 Rev.A</td> <td data-bbox="1003 996 1305 1061">08 February 2023</td> </tr> <tr> <td data-bbox="320 1061 715 1126">Proposed Garage (House Type 1)</td> <td data-bbox="715 1061 1003 1126">2022-84-05.1 Rev.A</td> <td data-bbox="1003 1061 1305 1126">08 February 2023</td> </tr> <tr> <td data-bbox="320 1126 715 1178">Proposed Gatehouse</td> <td data-bbox="715 1126 1003 1178">2022-84-05.3 Rev.A</td> <td data-bbox="1003 1126 1305 1178">16 February 2023</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Location Plan	2022-84-01.1	23 December 2023	Proposed Block Plan	2022-84-02 Rev.B	16 February 2023	House Type 1 - Proposed Floor Plans	2022-84-03.1 Rev.A	08 February 2023	House Type 1 - Proposed Elevations	2022-84-03.2 Rev.A	08 February 2023	House Type 2 - Proposed Floor Plans	2022-84-04.1 Rev.A	08 February 2023	House Type 2 - Proposed Elevations	2022-84-04.2 Rev.A	08 February 2023	Proposed Garage (House Type 1)	2022-84-05.1 Rev.A	08 February 2023	Proposed Gatehouse	2022-84-05.3 Rev.A	16 February 2023
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3.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>																											
4.	<p>No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details.</p> <p>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>																											
5.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>																											
6.	<p>No works to the Gatehouse identified on drawing 2022-84-02 Rev.B shall take</p>																											

	<p>place until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.</p> <ul style="list-style-type: none"> <li>a) Risk assessment of potentially damaging construction activities.</li> <li>b) Identification of "biodiversity protection zones".</li> <li>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features.</li> <li>e) The times during construction when specialist ecologists need to be present on site to oversee works.</li> <li>f) Responsible persons and lines of communication.</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>The approved CEMP shall be adhered to and implemented throughout the works to the Gatehouse strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: Due to the potential for the existing building to support bats.</p>
<p>7.</p>	<p>A scheme for the landscaping of the development and biodiversity enhancement measures shall be submitted prior to the construction of the superstructure of any of the dwellings hereby permitted. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail bird and bat box provision, any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
<p>8.</p>	<p>No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.</p> <p>Reason: Nesting birds are a protected species.</p>
<p>9.</p>	<p>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</p>



	<p>include:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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);</li> <li>(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;</li> <li>(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and</li> <li>(v) Foul and surface water shall drain on separate systems.</li> </ul> <p>The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.</p> <p>Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>10.</p>	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.</p> <p>Reason: In the interests of highway safety and to prevent flooding.</p>
<p>11.</p>	<p>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 plan and the vehicular turning space shall be laid out and be available for use prior to first occupation and a suitable turning area is to be maintained thereafter.</p> <p>Reasons: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.</p>
<p>12.</p>	<p>The dropped crossing connecting the site access with the highway shall be constructed prior to commencement of development.</p> <p>Reasons: In order to enable all construction and end user traffic to enter and leave the premises in a safe manner without causing a hazard to other road users or damage to the existing highway.</p>
<p>13.</p>	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of the Order, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reasons: To allow for the effective use of the parking areas.</p>
<p>14.</p>	<p>Before the accesses are used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site</p>

	<p>shall be appropriately paved in tarmacadam, concrete, block paviments, or other approved materials.</p> <p>Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.</p>
<p>15.</p>	<p>Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMP shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> <li>• The parking of vehicles of site operatives and visitors;</li> <li>• Loading and unloading of plant and materials used in the construction of the development;</li> <li>• Storage of such plant and materials;</li> <li>• Wheel washing facilities;</li> <li>• Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.</li> </ul> <p>Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</p>

**APPLICATION REPORT – 22/01001/FUL**

**Validation Date: 13 October 2022**

**Ward: Clayton West And Cuerden**

**Type of Application: Full Planning**

**Proposal: Demolition of existing farmhouse and erection of a replacement dwelling, conversion of two barns to form three dwellings and other associated works**

**Location: Lower Wood End Farm Back Lane Clayton-Le-Woods Chorley PR6 7EX**

**Case Officer: Mike Halsall**

**Applicant: Cuerden Valley Park Trust**

**Agent: Peter Dickinson Architects**

**Consultation expiry: 29 November 2022**

**Decision due by: 3 April 2023 (Extension of time agreed)**

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**RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions and the signing of a S106 legal agreement to secure a financial contribution of £402 towards Public Open Space for children / young people.

**SITE DESCRIPTION**

2. The application site is located in the Green Belt just outside, and immediately to the west of, the defined settlement boundary of Clayton-le-Woods, as identified on the Chorley Local Plan 2012-2026 Policies Map. The site is located at the end of an approximately 160m long private access track that leads from Back Lane to the north. The site is surrounded by housing to the east and north beyond a dense belt of vegetation, and there is open agricultural land on all other sides. Public Right of Way, FP8, runs along the access road from Back Lane and passes through the centre of the site.
3. The application site consists of a farmhouse, farmyard area and a number of agricultural buildings of various sizes and construction, including a brick-built barn and a stone built-barn, located near the farmhouse. Other agricultural buildings at the site, to the east and north east of the farmhouse and aforementioned barns are of a more modern construction and design. The applicant has stated their intention is to convert these barns to dwellings under Part Q of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), however, this does not form a material consideration in the determination of this planning application.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks full planning permission for the demolition of the existing farmhouse and the erection of a replacement dwelling, the conversion of a brick-built barn to two dwellings and a stone-built barn to one dwelling, with other associated works.

5. The submitted plans have been revised during the consideration period of the application to remove a proposed stable building, glasshouses and sheds and reduce the scale of the replacement dwelling due to Green Belt considerations. Further, changes have been made to the proposed conversion of the brick-built barn following consultation responses from the Council's heritage advisors.
6. The site is owned by the Cuerden Valley Park Trust who have stated the following with regards to the reasons for seeking planning permission for the proposal:
  - *'The Trust took the difficult decision to sell the property in order to help stabilize our finances, the Trust is a charity focused on the conservation of the Country park, the delivery of education and engagement with our local and wider community*
  - *Monies from the sale will enable a broad programme of necessary maintenance work including much needed habitat restoration, woodland, grassland and waterway management, footpath restoration and entrance furniture upgrades for accessibility*
  - *The monies will also enable the expansion of our environmental and community engagement activity. Specifically the creation of a new education centre within the park adjacent to the current Visitor Centre*
  - *The Visitor Centre is already a key tourism hub within the park and a focus for the Trusts delivery, a second facility is impractical, it would also be very expensive to create a new education/community venue within the park. The Trust does not have the funds to enable this, indeed as mentioned above the sale of the farmhouse will allow for a range of much needed activity*
  - *Business use is impractical, the farmland is already and will remain tenanted. A farm with no land is not a viable business'*

## REPRESENTATIONS

7. Four representations have been received in objection to the proposal, citing the following grounds of objection:
  - The farmhouse should not be demolished, it should be listed
  - Highway safety / access
  - Questioning the accuracy of submitted documents
  - Harm to trees
  - Impact on neighbouring residents
8. One representation has been received neither in objection nor support of the proposal, noting the following:
  - Proposal would be an asset to Clayton le Woods and create much needed funds for the Trust
  - Ecology report should include details on hedgehogs, deer, great crested newts, and other non-protected species
  - Cuerden Valley Park is biological heritage site
  - The farmhouse has historic relevance and should be examined and retained - It is documented in the book 'Clayton in History' by George L Bolton, that Lower Wood End farm was occupied by the Crichlowe family at the beginning of the 1700s. Three sons of this family were Roman Catholic Priests and in literature held by St Bede's church it is said that the Lower Wood end farm held Catholic Masses using a secret Altar that was moved about different houses in the area.

## CONSULTATIONS

9. Lancashire Highway Services (LCC Highway Services): have responded with no objection to the proposal, stating they do not have any objections in principle to the proposal and have suggested conditions to be attached to any grant of planning permission. The conditions relate to the stables and garaging that no longer form part of the proposal and so the suggested conditions are no longer relevant. LCC Highway Services have also noted that there are some concerns in relation to cars exiting the track onto Back Lane due to vegetation obstructing sight lines. The land upon which the vegetation is located is owned

by Chorley Council and so it would be unreasonable to require the applicant to maintain this.

10. Greater Manchester Ecology Unit: have responded with no objection to the proposal, subject to conditions and informative notes being attached to any grant of planning permission in relation to safeguarding protected species and delivering biodiversity enhancement measures.
11. Lancashire County Council Public Rights Of Way: have responded with no objection to the proposal and have stated that:

*'Footpath 9-9-FP8 runs along the access road to the proposed development.*

Temporary closure

*If works relating to the proposed development are likely to create a health and safety risk to users of the public right of way a temporary closure must be applied for and in place prior to works commencing. If a temporary closure is necessary and not in place the applicant would be liable if a member of the public was to be injured exercising their right to use the Right of Way in question and subject to enforcement proceedings.*

Obstruction

*A public right of way should not be used to store machinery, materials or vehicles and if found to do so the applicant could be subject to enforcement proceedings.'*

12. Waste & Contaminated Land Officer: has responded with no comments.
13. Tree Officer: has responded to state the majority of surrounding trees would be unaffected by the proposal. The demolition and construction should conform to BS 5837 standards and any tree pruning ought to be completed to BS 3998.
14. National Grid UK Transmission: have not responded on this occasion.
15. Lancashire County Council Archaeology Service: initially responded to request the applicant undertakes a formal heritage appraisal of the brick barn, stating the following:

*'This farmstead is noted on the Lancashire Historic Environment Record, where it is suggested that it may well appear on William Yates' map of Lancashire, dated 1786, and thus be of 18th century or earlier origin. Within the farmstead itself are three traditional buildings, the farmhouse itself, a stone-built barn to its north and a brick-built barn range to its east. Of these the brick-built range is probably the earliest, being clearly identifiable on the OS 1:10,560 mapping of 1848 (sheet Lancashire 69, surveyed 1844-6).*

*The farmhouse of this period seems to have been slightly larger than the present house and located a little to its west. This house had been demolished and was replaced by the present farmhouse by the time of the 1894 OS 1:2,500 mapping (sheet Lancashire 69.15, surveyed 1893). It seems probable that the original farmhouse significantly pre-dated 1848 and may well have been of 18th century or earlier origin. The stone barn also appears for the first time on the 1894 mapping.*

*There is no heritage statement with the application but photographs within the Bat and Bird Survey (BBS - Envirotech, 06/2022) and the Structural Condition Survey (SCS -Graham Schofield Associates, Aug 2022) give a useful overview of the buildings, along with the plans 'as existing'. It should be noted, however, that the hand-cut timbers forming the roof of the brick barn (proposed to be converted to 'Dwellings 3 and 4') are not accurately illustrated in the architect's drawings. These timbers would suggest that this barn is of early origin – examples of this type of roof have been dated to the 16<sup>th</sup> century – and also pre-dates the 1848 and probably the 1786 mapping.*

*The period 1750-1880 has been recognised as the most important period of farm building development in England. The Council for British Archaeology's 'An Archaeological Research Framework for North West England: Volume 2, Research Agenda and Strategy' has indicated that "there is an urgent need for all local authorities to ensure that farm buildings undergoing adaptation are at least considered for recording" (p. 140) so that "a regional database of farm buildings can be derived and variations across the region examined." (ibid.)*

*We would have no objection to the demolition of the existing farmhouse or the conversion of the stone barn but would recommend that these buildings are recorded photographically prior to any works starting.*

*We would also have concerns that the proposed replacement farmhouse ('Dwelling 2') is to be located in the area of the pre-1848 farmhouse and has potential to impact buried remains of 18th century or earlier date, associated with the earlier occupation of the farmstead. This impact could be mitigated by a scheme of 'strip, map and record' archaeological excavation covering the site of the proposed new build dwelling. The above mitigation works could be required by the application of appropriately worded planning conditions.*

*With regard to the brick barn, however, we have serious concerns over the amount of alteration proposed to this structure, including the demolition of existing fabric and the way the space has been sub-divided. Of particular concern is the intention to provide the division between the two proposed dwellings in the centre of the present cart doorway, rather than utilising an existing natural division of the building. This will impact severely on the ability to understand and appreciate the original plan and circulation pattern of the building. The guidance set out in sections 44-49 of "Making Changes to Heritage Assets – Historic England Advice Note 2" (Historic England 2015) is directly relevant here and does not seem to have been considered in the design of the new dwellings.*

*We are also very concerned that a major element of the barn, the timber roof structure, is liable to be considerably altered. The detail of the roof structure is not set out in the drawings 'as proposed', but the Structural Survey recommends that the developers should "Retain main truss and purlin members and replace upper roof members to achieve regularity for proposed finishes" (SCS p.17). This would lead to the loss of the common rafters, purlins and wind-braces, which form an integral and historically important element of this building. We would strongly recommend that no planning decision is taken until a formal heritage appraisal of the brick barn is undertaken, as set out in NPPF (Paragraph 194, MoHCLG, 2021). This should include an assessment of the significance of the various elements of the structure and a consideration of the impact of the proposed changes upon them, particularly the plan form and the roof structure. The design of the new dwelling should then be re-considered with reference to the appraisal and with the intention of minimising harm to the building's significance. It is probable that, with care, an appropriate design can be developed, but the present scheme would appear unacceptable.'*

The applicant subsequently commissioned a heritage assessment in support of the proposal which resulted in changes also being made to the proposed drawings, as explained in more detail later in this report. Lancashire County Council Archaeology Service reviewed the assessment and revised drawings and have concluded as follows:

*'As previously stated, we would have no objection to the demolition of the existing farmhouse or the conversion of the stone barn but would recommend that the stone barn is recorded photographically prior to any works starting. The description and photographs of the farmhouse supplied in the new Heritage Assessment (HA: Peter Dickinson Architects January 2023) would suggest that this structure does not merit any recording.*

*We still have concerns that the proposed replacement farmhouse ('Dwelling 2') is to be located in the area of the pre-1848 farmhouse and has potential to impact buried remains of 17th – 18th century date, associated with the earlier occupation of the farmstead. This impact could be mitigated by a scheme of 'strip, map and record' archaeological excavation*

*covering the site of the proposed new build dwelling, following the demolition of the above-ground elements of the present farmhouse. This should be able to replace the grubbing up of the extant foundations, etc., and other necessary preparation of the site for the new development.*

*The alterations to the design of the proposed brick barn conversion have addressed most of our concerns regarding the impact of the scheme on this structure. We would suggest that the style of many of the proposed windows and doors does not appear to reflect its agricultural origins, but we would leave this 'design matter' in the hands of your conservation team. We would recommend that a formal record of the building be created, to level 3 as set out in 'Understanding Historic Buildings' (Historic England 2016), as a condition of any consent granted.'*

16. Clayton-le-Woods Parish Council: have not responded on this occasion.
17. United Utilities: have responded with their template response which recommends conditions being attached to any grant of planning permission to ensure the site is drained in the most sustainable method possible.

## **PLANNING CONSIDERATIONS**

### Principle of development

18. Whilst the area is not identified for growth under Policy 1 of the Central Lancashire Core Strategy, the policy does allow for small scale development and, therefore, the proposal is compliant in this respect.
19. 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....:*

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

*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;...

20. The proposal contains both a replacement dwelling (paragraph 149d 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.

### **Replacement dwelling**

21. Policy HS6 of Chorley Local Plan 2012 – 2026 relates to Replacement Dwellings and is consistent with the guidance contained within the Framework, setting criteria to be satisfied for permission to be granted as follows:

***a) The proposed replacement dwelling respects the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled;***

22. The site is located at the southern end of an approximately 160m long private access track that leads from Back Lane to the north and so would not be visible in the street scene. The existing dwelling is described as follows in the submitted heritage assessment:

*'The existing farmhouse is a replacement dwelling constructed between 1844 and 1893 based on historic OS map information. The existing dwelling is roughly square in its footprint with a single storey storage structure adjoining its west elevation. A flat roof single storey rear porch adjoins the north elevation facing towards the stone barn. The dwelling is composed of sandstone walls, that have become stained, and a slate roof. A small cellar is located below the rear room to the north-west of the dwelling and accessed via the kitchen. The gable walls (east and west elevations) include a parapet wall with stone copings and matching chimneys.*

*The dwelling is typical of a Victorian era farmhouse with a near symmetrical footprint and symmetrical primary elevation. The windows, whilst non original uPVC, are framed in stone surrounds and large stone quoins form the corners of the dwelling. Sandstone copings form parapets to the gable elevations and headers to the north and south elevations conceal a hidden rainwater gutter. The stone coping has been covered in some areas with a pliable adhesive membrane, presumably to prevent the ingress of rainwater. All rainwater goods are uPVC.'*

23. The assessment goes on to identify significant structural issues, wet rot, water ingress and rising damp that render the building as unsuitable for retention.
24. The proposed replacement dwelling is larger than the existing dwelling and of a modern design with large window openings and a mixture of rustic blend brickwork, semi-coursed sandstone and timber cladding walls and tiled roof.
25. It is considered that the proposed replacement dwelling would respect surrounding buildings and would not be unacceptably harmful to the character of the surrounding area. The proposed replacement dwelling would enhance the immediate area, given the current condition of the existing dwelling. As such it is considered that it would comply with criteria (a) and Local Plan Policy BNE1.

***b) There is no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight;***

26. The nearest existing dwellings to the proposed replacement dwelling would be located approximately 80m to the south east on Whitethorn Close, beyond a dense section of vegetation that separates the site from housing to the south east, east and north west.



27. The proposed front elevation of the replacement dwelling would be located approximately 17m from the front elevation of the proposed stone barn to be converted to a single dwelling. As this falls short of the Council's minimum interface distance between facing habitable room windows, the applicant has agreed for one of the bedroom windows in the barn to be obscurely glazed. As this is not the main window proposed to serve the bedroom, this is considered to be acceptable and is shown on the submitted drawing. Any impacts through a loss of privacy from facing habitable room windows at ground floor level can be avoided by suitable boundary treatments to be agreed by planning condition. The proposed converted brick barn has been orientated so as not to directly face either the replacement dwelling or the proposed stone barn conversion.
28. In light of the above, the proposal would not have unacceptable impacts on the amenity of the occupants of either existing dwellings or those proposed by the development, having regard to criterion (b) and Local Plan Policy BNE1.

***c) Safe and suitable access to the site can be achieved;***

29. The proposal involves the use of the existing vehicular site access on Back Lane. LCC Highway Services do not have any objections in principle to the proposal. They have however stated they have some concerns in relation to cars exiting the track onto Back Lane due to vegetation obstructing the sight lines. The land upon which the vegetation is located is owned by Chorley Council and so it would be unreasonable to require the applicant to maintain this. The issue has been referred to the Council's streetscene team so that they can clear the vegetation.
30. The proposals indicate that sufficient parking is available within the site and that vehicles would be able to enter and exit the site in a forward gear, therefore the proposal is considered to be acceptable in highway safety terms. The proposal accords with the Council's parking standards, having regard to criterion (c) and Chorley Local Plan Policy BNE1.

***And in the Case of the Green Belt, Safeguarded Land or Area of Other Open Countryside:***

***d) The proposed replacement dwelling would not detract from the openness to a greater extent than the original dwelling; and  
e) The proposed replacement dwelling would not be materially larger than the dwelling it replaces nor involves enlarging the residential curtilage. Increases of up to 30% (volume) are not considered to be materially larger.***

31. The submitted drawing for the replacement dwelling has been revised since its original submission to remove approximately 200 cubic metres of built volume following a discussion in relation to the volume calculations of the existing and proposed dwellings. The proposal now represents an increase in built volume of 30%. The replacement dwelling is therefore not materially larger than the current dwelling based on the provisions of policy HS6(e). The proposed therefore satisfies policy HS6 and accords with exception (d) of paragraph 149 of the Framework as not being inappropriate development in the Green Belt.

**Barn conversions**

32. The application proposes to convert an existing stone barn, located to the north of the existing farmhouse, into a single dwelling, and a brick barn, to the east, into two dwellings. 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.
33. Policy HS9 (Conversion of Rural Buildings in the Green Belt and Other Designated Rural Areas) 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;***

34. The proposed stone barn conversion includes a first-floor extension and single-storey infill side extension to the west side of the building and a single storey 'front' extension to the southern side of the building.
35. The proposed brick barn conversion includes two single storey extensions in the south eastern corner of the barn and also a small single storey element of the building would be demolished.
36. 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 represent less than 50% of the volume of the existing barns and so would not be disproportionate additions and would not, therefore, have a materially greater impact on the openness of the Green Belt.

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

37. The proposal includes the re-use of two existing buildings to create three dwellinghouses. The site already has a somewhat domestic appearance as it is currently associated with the farmhouse. 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, rather it would represent an improvement to the current situation as the site appears tired and cluttered with agricultural equipment and materials.

***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;***

38. It is not considered that the barns are of a size or design that are suitable for modern agricultural practices, hence the presence of the much larger modern agricultural buildings having been erected to the north east. The conversion of the barns 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;***

39. The buildings are agricultural although were not substantially completed within the last ten years.

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

40. The buildings are of a permanent and substantial construction and capable of conversion without more than 30% reconstruction. The applicant has submitted a structural condition report to demonstrate this.

***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;***

41. The buildings would largely retain their traditional character with minimal new openings. The application proposes small extensions to the buildings, which would be subordinate additions, and of a modern design, which contrasts with the host building but complements it through the use of suitable materials. The proposal is considered to be acceptable in

design terms and would not be harmful to the visual amenities of the area. The curtilage formations are 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;***

42. The proposed development includes the use of an existing access to Back Lane. There is adequate space for the provision of on-site parking in accordance with the Council's minimum 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.***

43. It is not considered that the proposal would be detrimental to nature conservation interests.

#### **Garden Storage Buildings**

44. The application also proposes the erection of two garden storage outbuildings, one to serve each of the two dwellings to be created by the conversion of the brick barn. The Framework states a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. The proposed outbuildings do not fall within any of the exceptions set out at paragraph 149 or 150 and are, therefore, inappropriate development in the Green Belt. The introduction of built form to an undeveloped area would also harm openness.
45. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.
46. The Framework states that 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. It is not considered that there is any other harm in this instance.
47. The Council takes a pragmatic approach to the development of domestic outbuildings within a residential curtilage and makes provision for the equivalent of a double garage, a small shed, and a small greenhouse on a single dwelling in the countryside through the Householder Design Guidance Supplementary Planning Document. In this instance therefore it is considered that the proposed outbuildings, one of which is the size of a small shed and the other a single garage, are acceptable under the requirements of the SPD in addition to the barn conversion.
48. At paragraph 1.2 the Householder Design SPD is clear that the guidance contained within it should be afforded significant weight as a material consideration in determining planning applications. Significant weight is, therefore, afforded to the provision of the proposed outbuildings and the Council considers this sufficiently justifies the proposal in the Green Belt as very special circumstances to outweigh Green Belt considerations.

#### **Other aspects of the proposal**

49. The creation of allotments, an orchard and a paddock for grazing horses, as identified on the submitted 'Proposed Site Plan' are not considered to fall within the definition of development at paragraph 55 of the Town and Country Planning Act 1990 and so require no Green Belt assessment. This is because no material change of use would take place from the current agricultural use of land. It was previously proposed to keep horses at the

site by the erection of a stable block, but this was removed by the applicant at the request of the case officer due to representing inappropriate development in the Green Belt. No Green Belt assessment is therefore required of these parts of the scheme.

#### Impact on character and appearance of locality

50. 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;”*

51. The existing buildings are of a simple traditional design typical of agricultural buildings of the era in this locality. The site is largely screened from public vantage points by dense vegetation and is a substantial distance from Back Lane.
52. The proposal includes the re-use of two existing buildings to create three dwellinghouses. The site already has a somewhat domestic appearance as it is currently associated with the farmhouse. 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, rather it would represent an improvement to the current situation as the site is largely appearing tired and cluttered with agricultural equipment and materials.
53. Whilst the proposed new build dwelling would be larger than the existing dwelling, it sits separate from the nearest adjacent dwellings and is set well back from Back Lane.
54. The proposal is considered acceptable in terms of size, scale, massing and design. The final choice of externally facing materials and landscaping details can be controlled by planning condition.
55. 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 the design.

#### Impact on neighbour amenity

56. 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.
57. As previously noted, the proposed siting for the new dwellings is separate from existing dwellings and the relationship between each of the proposed dwellings is considered to be acceptable. As such, there would be no adverse impact on the amenity of the occupiers of any existing neighbouring dwellings or the future occupiers of the proposed dwellings. It is, therefore, considered that the development would not adversely impact on the amenity of any existing or future occupiers.

#### Highway safety

58. 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.

59. The proposal involves the use of the existing site access on Back Lane. LCC Highway Services do not have any objections in principle to the proposal. They have however stated they are some concerns in relation to cars exiting the track onto Back Lane due to vegetation obstructing the sight lines. The land upon which the vegetation is located is owned by Chorley Council and so it would be unreasonable to require the applicant to maintain this. The issue has been referred to the Council's streetscene team so they can clear the vegetation.
60. 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.
61. 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

62. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
63. 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.
64. It is recommended that the applicant implements a scheme in accordance with the surface water drainage hierarchy outlined above. This can be secured by planning condition.

#### Ecology

65. 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.
66. The Council's ecological advisors have reviewed the submitted bat, barn owl and nesting bird survey submitted in support of the application and have responded with no objection to the proposal. The site supports bat roosts (in the barns) and so the proposal will require a Protected Species Licence from Natural England. As a consequence, they have suggested a condition be attached to any grant of planning permission requiring evidence of the license or confirmation a license is not required to be provided to the Council prior to development commencing. Given the small numbers of bats and their conservation status it is likely that a Bat Mitigation Class Licence could be sought. These BMCL licences do not require a Reasoned Justification to provide the derogation from the legislation, but it is important that the Council identify this material consideration. It is also the responsibility of the determining body to consider the likelihood of a licence being issued. The Council's ecological advisors consider that it is highly probable that Natural England will look on a licence application favourably and it will be issued in this case.

67. The Council's ecological advisors have also requested a further survey of the farmhouse take place if development does not commence within one year of the planning permission being granted. This building was only given low potential for bat roosts. Further conditions have been suggested with regards to protecting nesting birds, details of external lighting and the delivery of biodiversity enhancement measures.
68. In light of the above, the potential ecological impacts of the proposal are considered acceptable, subject to conditions. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

#### Built Heritage

69. The buildings proposed for demolition and conversion are not statutorily or locally listed buildings. That said, as noted within the response from Lancashire County Council Archaeology Service earlier in this report and the Council's heritage advisor below, the buildings have some heritage value and are worthy of assessment.
70. The Council's heritage advisors have commented as follows on the revised proposal:

*'Whilst the proposals still introduce a range of fenestration, largely, from a heritage perspective, the proposed amendments to the brick barn are generally positive and address the concerns I raised in my original response. Particularly, the repositioning of the party wall, which no longer cuts down the middle of the original cart entrance and now utilises a more natural division. As well as their positioning of internal walls at first floor level to better expose the existing roof structure and the exposure of existing openings from the removal of the previously proposed part two-storey part single-storey extension, in favour of two smaller single storey extensions, with a proposed floor plan more reflective of the existing.*

*Likewise retention and conversion of the existing cattle/dairy shed, the retention and repair of the existing purlins, principal rafters and trusses, the replacement slate roof to better represent the original roof covering and the repositioning of the internal walls at first floor level to better expose the retained existing roof structure are positive amendments.*

*As such, this part of the proposals have been amended in a way, which better retains the historic key features of the brick built barn and to some extent still allows the barn and its original design and use to be read, therefore it is my view that it is a more appropriate conversion.*

*However, my concerns regarding the demolition and redevelopment of the Farmhouse remain the same as discussed in my earlier comments dated 19 December 2022. Whilst of lesser significance than the brick-built barn as noted in my earlier comments, the whole group of traditional buildings have a collective character and relationship to one another, which contributes to the wider significance of the group and also demonstrates the evolution of the Farmstead.*

*I acknowledge and accept that, the existing farmhouse has suffered from physically deterioration and is in a poor condition. However there is no evidence before me to suggest that it could not be restored and potentially extended rather than demolished. Regardless, I am mindful that the farmhouse (and collective group) can only be awarded a low heritage value or significance.*

*As in my previous comments I reiterate that P.197 of the NPPF states that LPA's should take account of the desirability of sustaining heritage assets and putting them into viable uses. Whilst the amended proposals provide an improved and more appropriate conversion of the brick barn, my concerns relating to the demolition of the farmhouse remain. Nevertheless, in the national context, the demolition of the existing farmhouse will cause only a limited loss or low loss of significance and as such, should only carry limited weight in the LPA's overall judgement.*

*As such, the LPA will need to consider this in its planning balance. The NPPF, P.203 allows for the loss of significance or harm caused by the demolition to be considered within a planning judgement. For the purposes of that judgement, the LPA should consider the harm to the significance of the site/buildings, to be low/slight.*

*Conclusion / recommendation*

*As I am required to do so, in relation to the NDHA, I have provided a balanced judgement in my comments in order to meet the general aim of the national guidance to preserve heritage.*

*The heritage value I assign to the group, within the national context is low and as indicated above the loss of value caused by the proposed demolition of the farmhouse would be low/slight. Under P.203 of the NPPF it is down to the LPA to consider this harm in its planning balance set against all other material [considerations] including the benefits of the scheme itself.*

*If a positive balance can be achieved then the proposal would be in general accordance with the guidance contained in Chapter 16 NPPF and comply with Policy BNE8 of the Chorley Local Plan and Policy 16 of the Central Lancashire Core Strategy. If the LPA were minded to approve the proposal then I would recommend that the buildings are appropriately recorded to a level agreed with the LCC Archaeologist, prior to any works and/or demolition commencing on site.*

71. 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.

72. 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.'*

73. The Chorley Local Plan 2012 – 2026, policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*
74. It is noted that the Council's heritage advisor has concluded that the heritage value of the buildings is low and the loss of value caused by the demolition of the farmhouse is low/slight. On balance, it is considered that the benefits of the proposal in improving the appearance of the barns, the site as a whole and the financial benefits to the Trust with subsequent social benefits to users of the Cuerden Valley Park, comfortably outweigh the heritage harm.

#### Archaeology

75. As noted earlier in this report, Lancashire County Council Archaeology Service has recommended that conditions be attached to any grant of planning permission requiring that the buildings are recorded prior to any work being undertaken and that archaeological work takes place once the dwelling has been demolished due to the potential location of buried remains associated with a previous farmhouse on the site. The proposal is therefore considered to be acceptable in this regard.

#### Affordable housing

76. 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 3 additional dwellings, but the site has an area of 0.67 hectares and is therefore a major development for the purposes of affordable housing provision.
77. 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 1 affordable dwelling, which should be provided on site unless the site is demonstrably an unsustainable location for affordable housing. A commuted sum for off-site provision would then be required from the scheme.
78. The applicant has provided the following justification for the affordable housing requirement being relaxed for this proposal. As previously noted, the stables no longer form part of the proposal.

*'The total site area, as shown on the attached updated location plan, measures 0.67 Hectares. However, this includes the following areas which are not part of the proposed development and exist only as existing features associated with the farmyard:*

- *The existing access track from Back Lane measures 0.11 hectares. This is an existing single width track and has no development potential but is necessary to access the development site.*
- *The area shown for the proposed allotments and the retention of an existing farm access to the north of the site measures 0.13 hectares, however this is Green Belt land and therefore cannot be developed for any other purpose other than for uses which do*



*not impact the openness of the Green Belt. It would therefore be unsuitable to develop this part of the site for residential use and the construction of affordable dwellings on this part of the site would be contrary to Green Belt policy.*

- *The development also includes the creation of a stables and associated external space which measures 0.05 hectares. This area is on Green Belt land and has no other development potential other than development which is suitable within the Green Belt (i.e. stables).*
- *The site area marked paddock measures 0.06 Hectares and are also within the Green Belt. As there are no structures on this part of the site and as it is currently used for agricultural purposes there is no potential for residential development and as above the construction of affordable dwellings (or any dwelling) would be contrary to Green Belt policy.*
- *The developable area, which is limited the immediate surroundings of the two barns and the existing curtilage of the existing farmhouse, measures 0.3 hectares, and includes a retained access through the site for farm access which further limits the development potential. The area of 0.3 hectares is the only developable area compliant with Green Belt policy and the development is still limit to policies related to the conversion of redundant buildings and the replacement of a single dwelling. It would not be possible to redevelop this area for residential development which would include new build affordable dwellings.*

*The development is limited to the existing site features and the forms of development which are allowed within the Green Belt. This includes replacement dwellings and the conversion of redundant buildings. There is no scope for the demolition of the existing barns which would allow a more suitable site layout in which affordable housing could be included. The development proposals have not been developed to maximise the residential potential of the area available as the development potential is limited due to the forms of the appropriate development within the Green Belt.*

*The areas listed above as having no-development potential are not excluded from development by choice in order to avoid delivering affordable housing, they are excluded from the development due to their location with the Green Belt and as such no other form of development than the proposed land uses shown within the development proposals would be possible.*

*The design of the proposed barn conversions is limited the existing forms and the surrounding curtilage. It would be inappropriate for instance to convert the large brick barn to form 3 smaller dwellings as this would result in insufficient external amenity space to the middle dwelling and would require a larger number of openings created to create suitable areas of living accommodation. This would be contrary local planning policy whereby the character of existing buildings should be retained where buildings are to be converted.*

*In view of the above items I would reiterate my earlier point that the application of the affordable housing threshold is inappropriate this instance. The inclusion of affordable housing would result in an unsuccessful conversion of the two barns and the construction of additional residential units is unsuitable due to the site's location within the Green Belt.'*

79. In light of the above and the reasons for this proposal outlined at paragraph 6 of this report to provide funds for the Trust, it is considered that in this instance there are particular circumstances that justify a deviation from the affordable housing requirement and outweigh the benefits that this would provide.

#### Public open space

80. 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.

81. The Council does not require contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches from developments of fewer than 11 dwellings.
82. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population for Public Open Space for children / young people, i.e. equipped play areas. There is currently a deficit of provision in Clayton West & Cuerden 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. The contribution for this proposal is therefore £402 which would be secured via a S106 legal agreement.

#### Sustainability

64. 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 1<sup>st</sup> 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.”*

65. 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.

#### Community Infrastructure Levy

66. 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**

67. The proposed development is considered to be acceptable and the application is recommended for approval, subject to conditions.

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

#### Suggested Conditions

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	4116-22-09A	7 October 2022
Proposed Site Plan	4116-22-06E	6 March 2023
Proposed Replacement Farmhouse (Phase 1)	4116-22-11	6 January 2023
Barn Conversion - Dwellings 3 and 4	4116-22-03A	31 January 2023
Barn Conversion - Dwelling 1	4116-22-02A	14 March 2023

*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 planted, their distribution on site, those areas to be seeded and detail any changes of ground level or landform.

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

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

4. 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).*

5. 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.*

6. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees to be retained.*

7. Biodiversity enhancements in the form of 8 wall gaps in each building, 4 bat boxes, 4 small nest boxes and 4 swallow cups, as set out in the Bat, Barn Owl and Nesting Bird Survey report produced by Envirotech, shall be implemented prior to first occupation of any of the approved dwellings (or in accordance with a phasing plan which shall first be agreed in writing with the Local Planning Authority) and shall be retained thereafter.

*Reason: To secure a net gain in biodiversity at the site.*

8. Any new external lighting shall be designed to minimise the impact on nocturnal wildlife and accord with the Institute of Lighting Professionals guidance (01/21 obtrusive lighting and 08/18 wildlife sensitive lighting).

*Reason: To avoid disturbance of nocturnal wildlife.*

9. No works to either of the barns approved for conversion (which support roosting common pipistrelle and brown long-eared bats) to residential use shall 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 from the Council's ecological advisors to the effect that it does not consider that the specified development will require a licence.

*Reason: To safeguard a protected species.*

10. If the demolition of the farmhouse does not commence within 1 year from the date of planning consent, the approved ecological measures as identified in (Bat, Barn Owl and Nesting Bird Survey, Envirotech, dated 28.6.22 version 1) shall be reviewed and, where necessary, amended and updated. The review shall be informed by further ecological surveys commissioned to:

- i) establish if there have been any changes in the presence and/or absence of [insert species/habitat] and
- ii) identify any likely new ecological impacts that might arise from any changes.

Where the survey results indicate that changes have occurred that will result in ecological impacts not previously addressed in the approved scheme, the original approved ecological measures will be revised and new/amended measures and a timetable for their implementation will be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the works to the farmhouse. Works will then be carried out in accordance with the new approved ecological measures.

*Reason: To safeguard a protected species.*

11. No works to the application buildings, including any clearance/demolition or preparation works shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording as set out in "Understanding Historic Buildings" (Historic England 2016). This should comprise (i) a photographic record of the stone barn; and (ii) a level 3 record of the brick barn. This recording must be carried out by an appropriately qualified and experienced professional

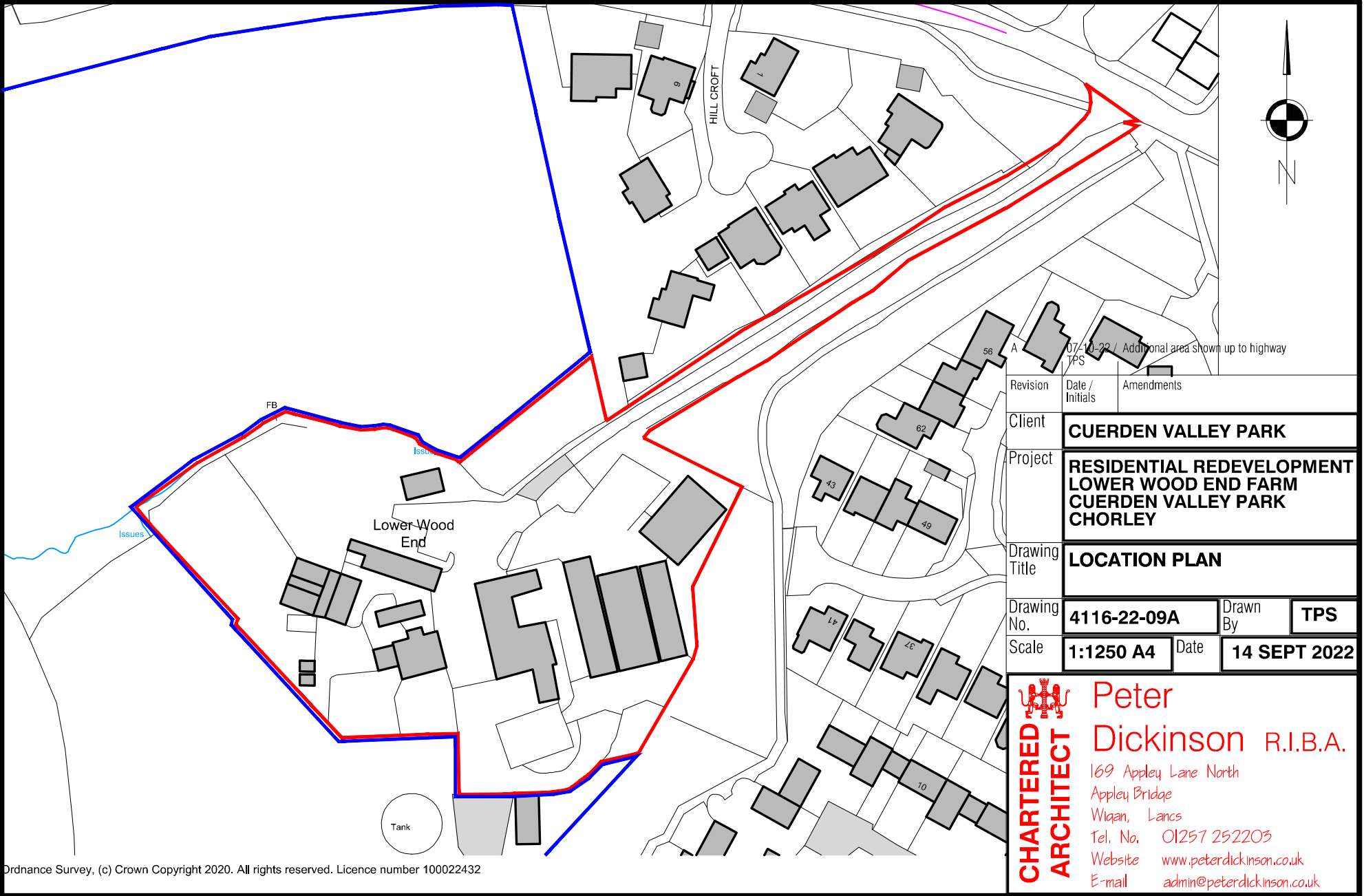
contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. A copy of the report or reports created shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record prior to the dwellings consented being first occupied.

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

12. No excavation or ground disturbance works in the vicinity of the location of the existing or replacement dwelling, other than the demolition of the existing farmhouse, shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological works, to include a formal 'Strip, Map and Record' investigation on the site of the proposed new house, undertaken to the standards and guidance set out by the Chartered Institute for Archaeologists. This work must be carried out by an appropriately qualified and experienced professional archaeological contractor and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority and shall include a contingency plan for the unexpected discovery of significant remains. A copy of the report created should be submitted to the Local Planning Authority and the Lancashire Historic Environment Record prior to the dwellings consented being first occupied.

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

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Revision	Date / Initials	Amendments
Client		
Project		
Drawing Title		
Drawing No.	Scale	Drawn By
Date	Date	

**CHARTERED ARCHITECT**

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## Development Control Committee Meeting

28<sup>th</sup> March 2023



# Item 3f

22/01001/FUL

Lower Wood End Farm, Back Lane, Clayton-Le-Woods

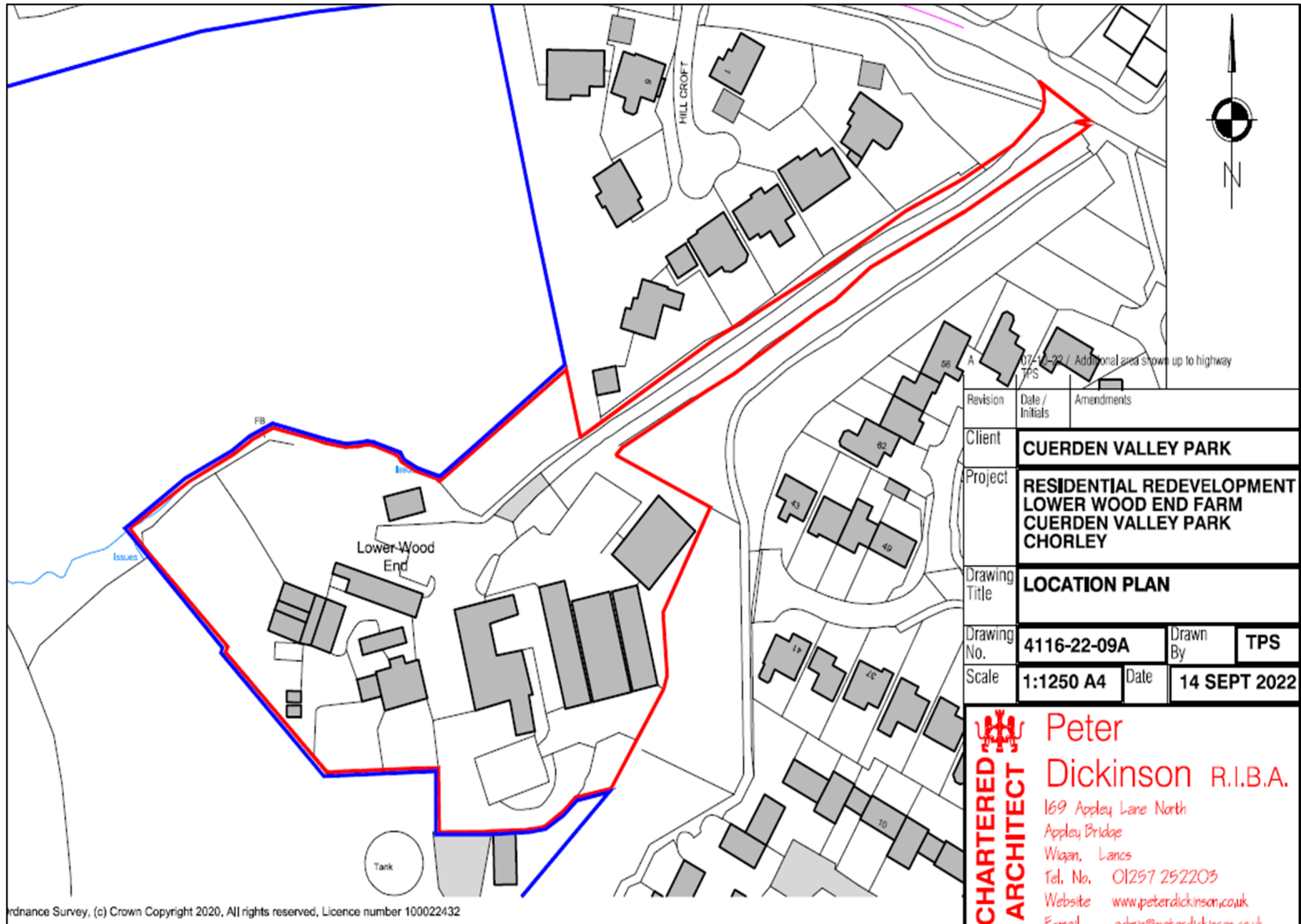
Demolition of existing farmhouse and erection of a replacement dwelling, conversion of two barns to form three dwellings and other associated works

# Aerial photograph

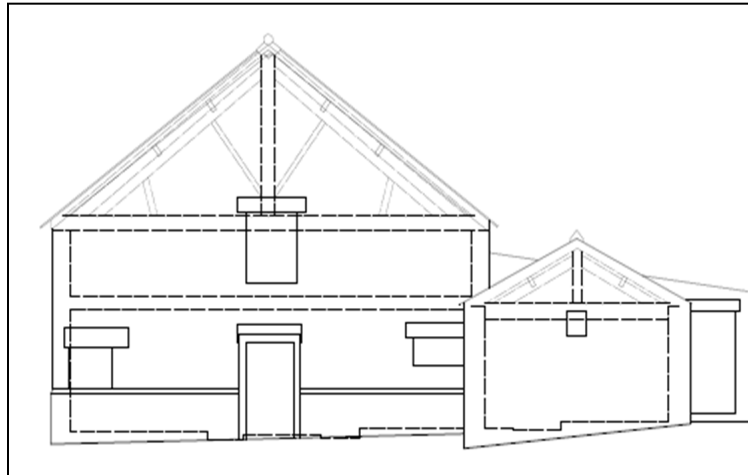
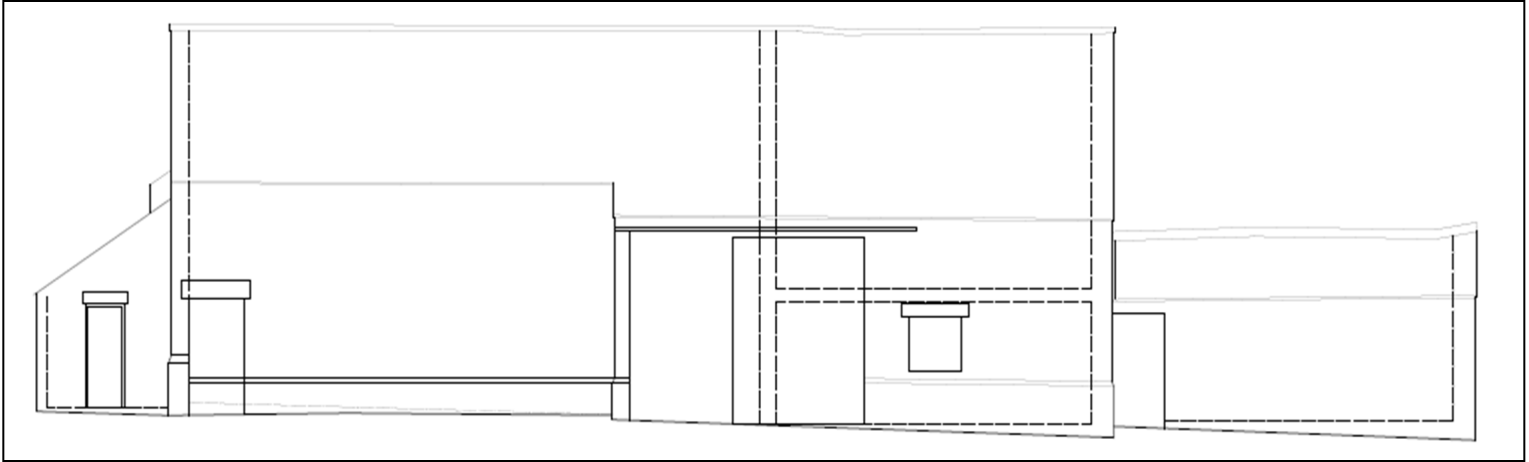




# Location Plan

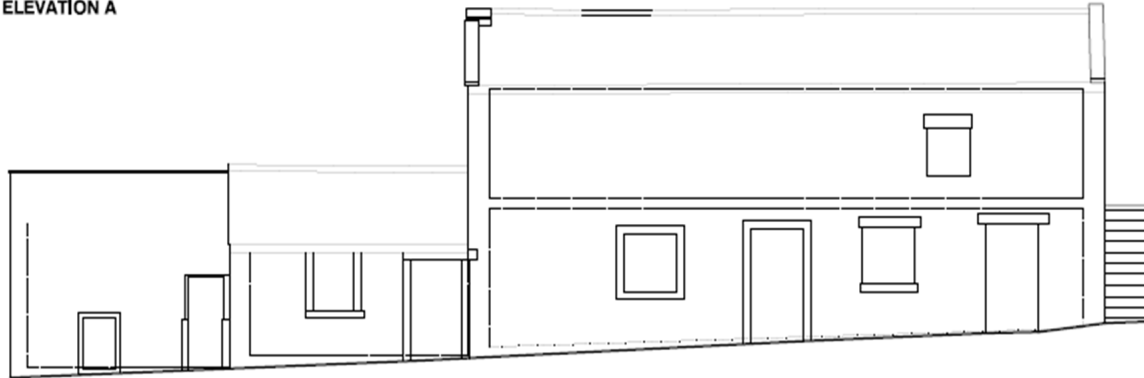


# Existing elevations



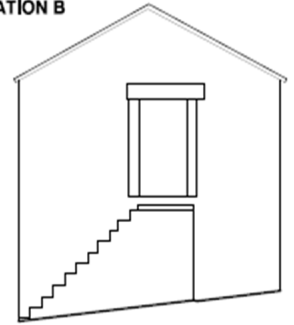
# Existing elevations

ELEVATION A



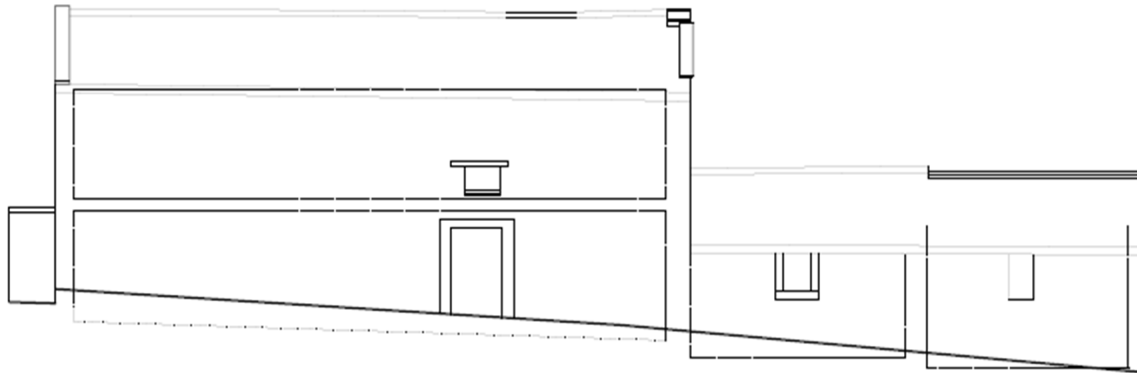
Datum 50,00

ELEVATION B



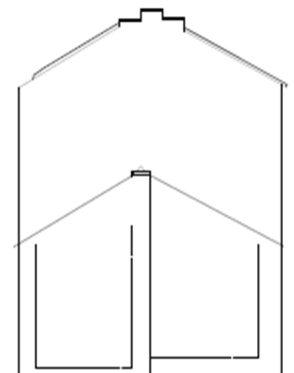
Datum 50,00

ELEVATION C



Datum 50.00

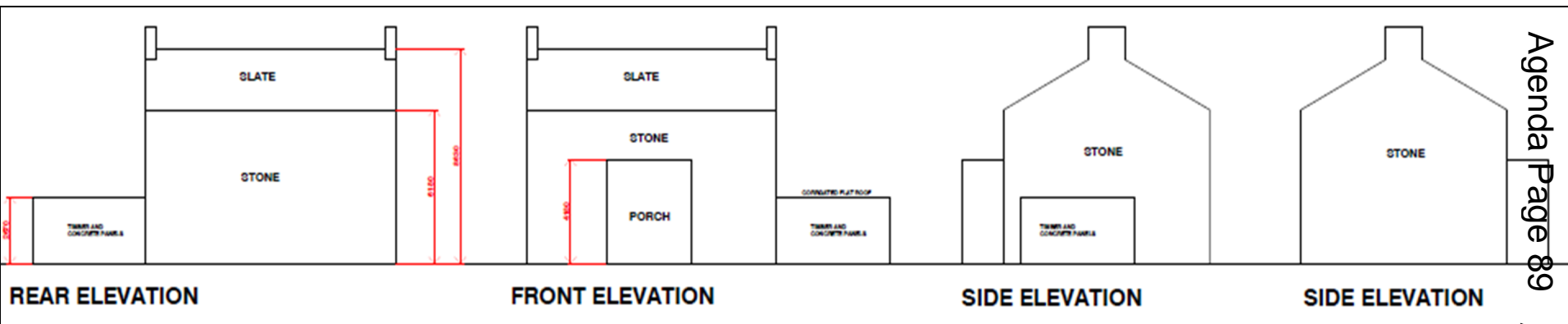
ELEVATION D



Datum 50.00

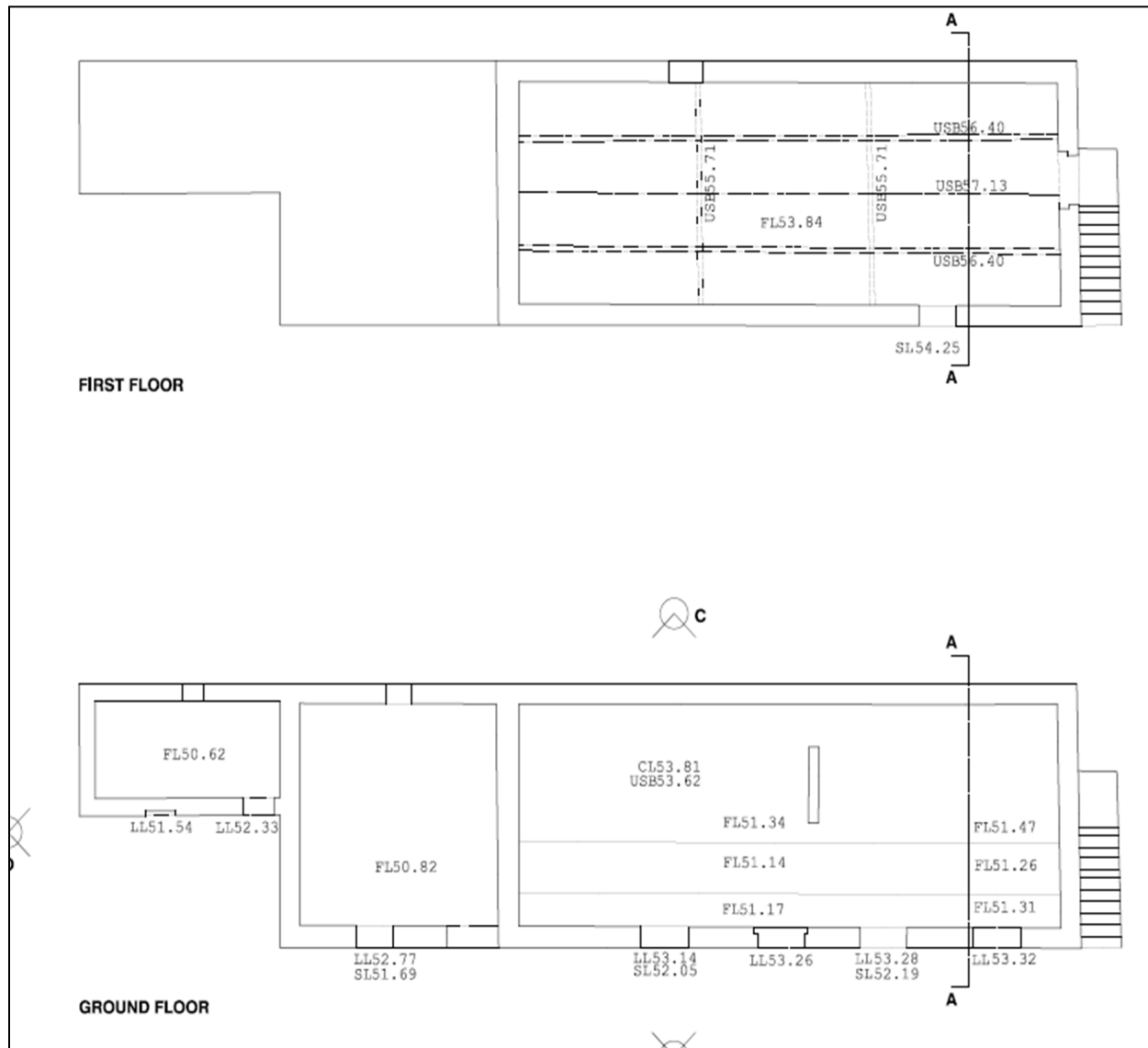


# Existing elevations





# Existing plans



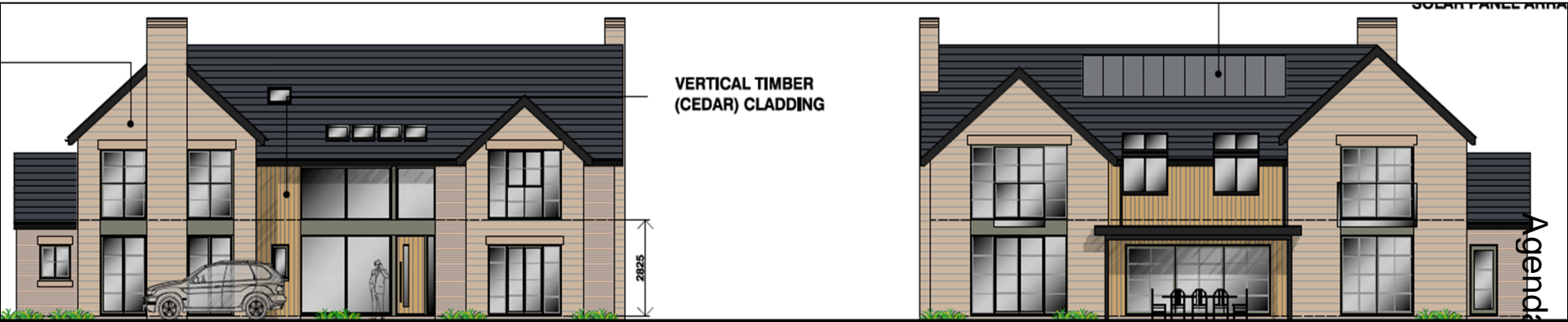
# Proposed Layout Plan



# Proposed Layout Plan

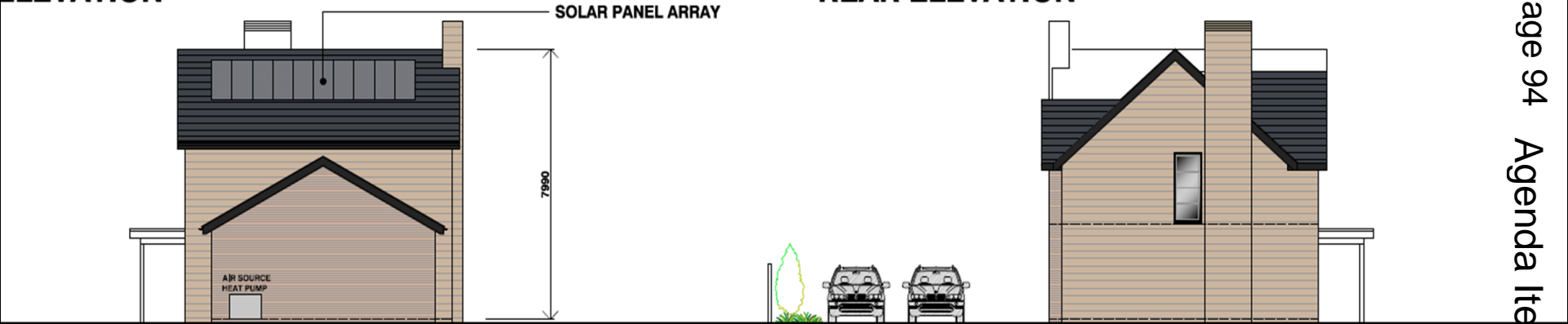


# Proposed Replacement Dwelling



**ELEVATION**

**REAR ELEVATION**

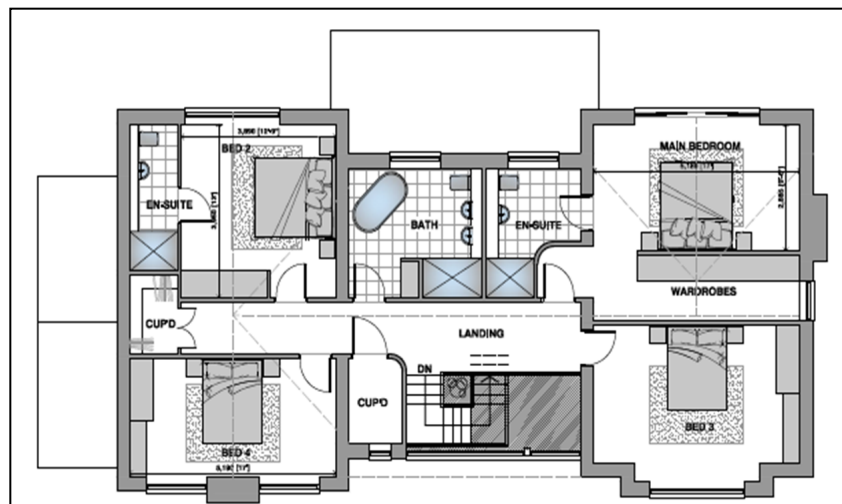


**ELEVATION**

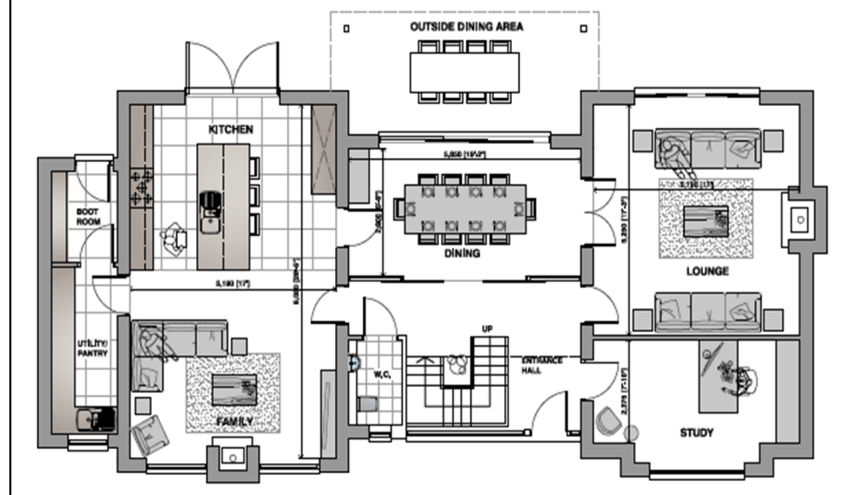
**SIDE ELEVATION**



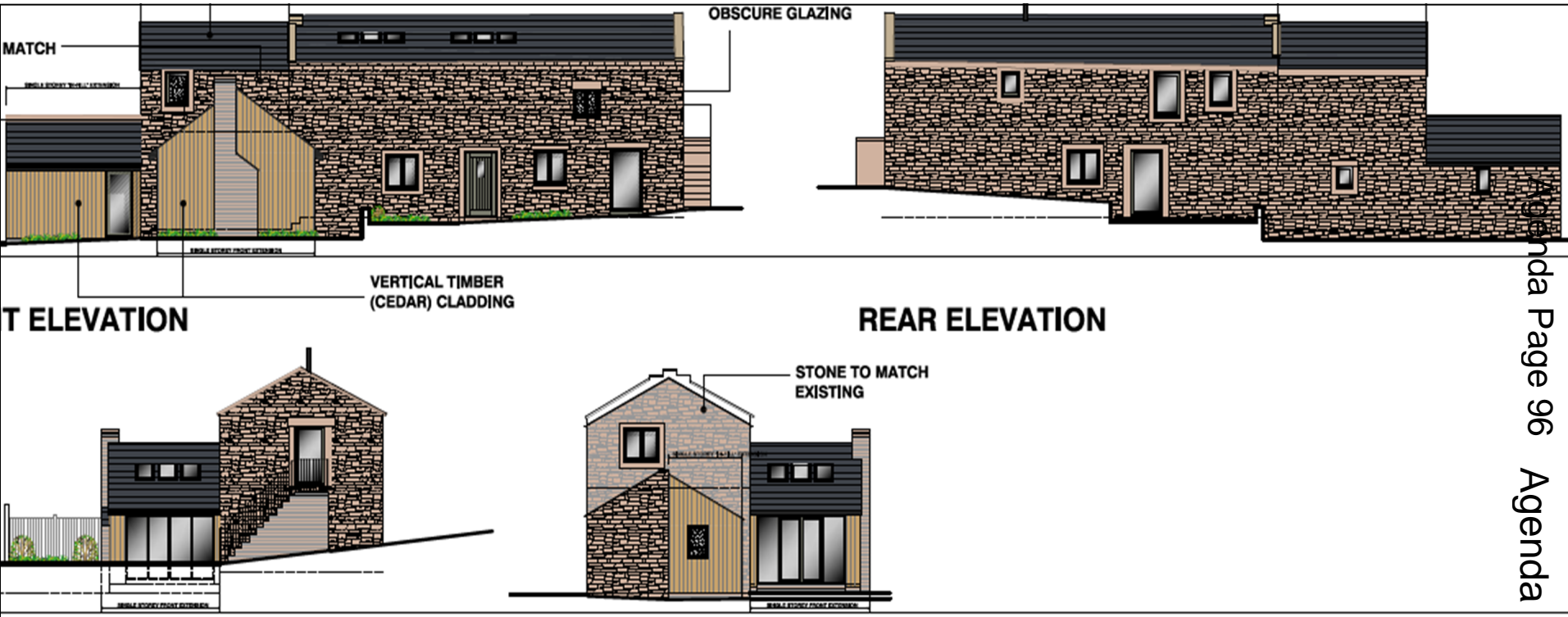
# Proposed Replacement Dwelling



**FLOOR PLAN**

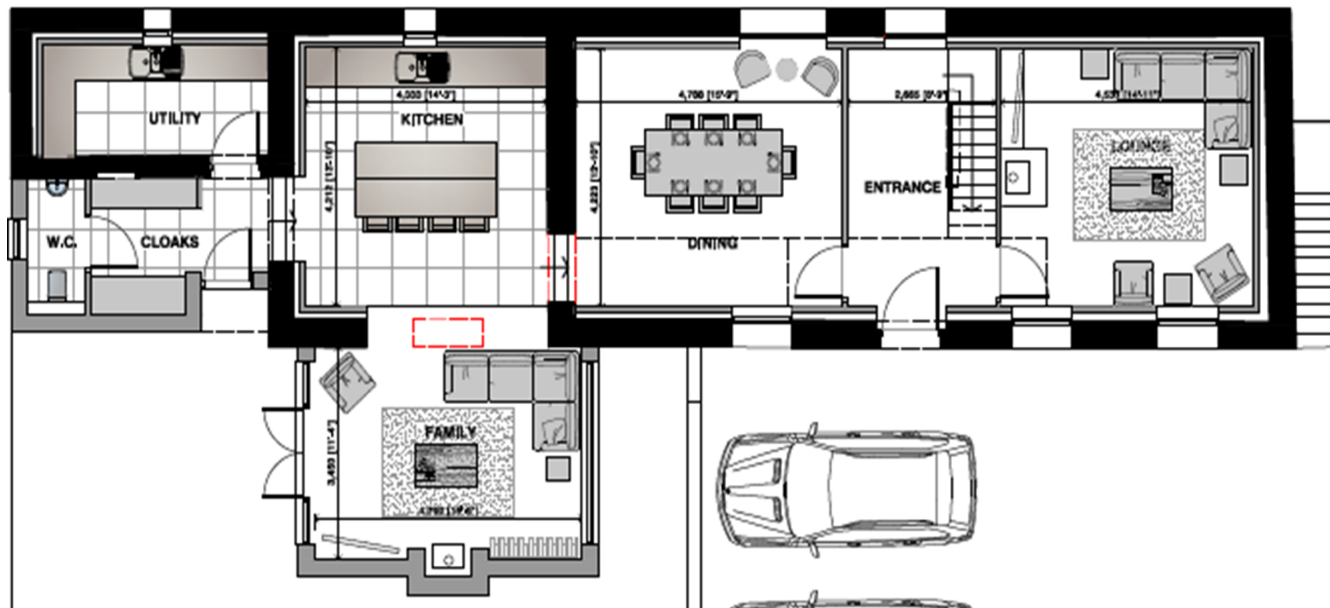
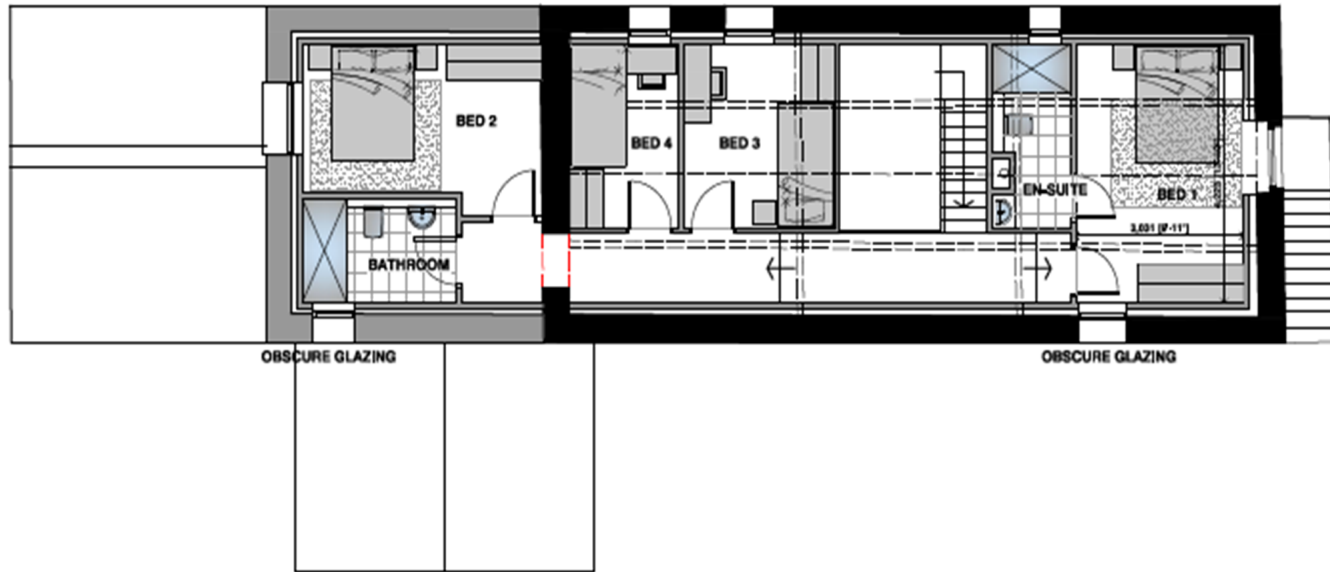


# Proposed Stone Barn Conversion

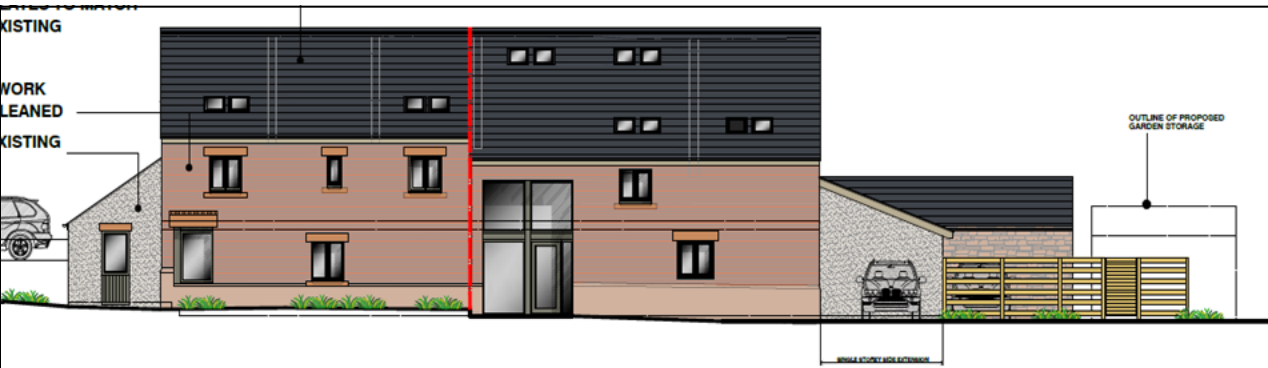




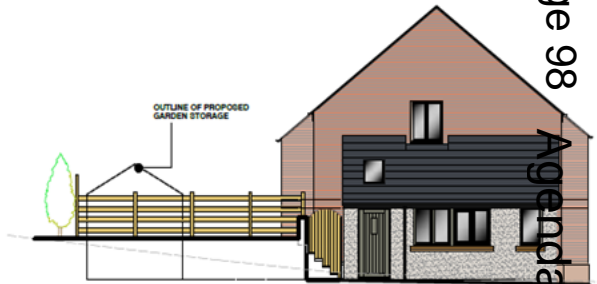
# Proposed Stone Barn Conversion



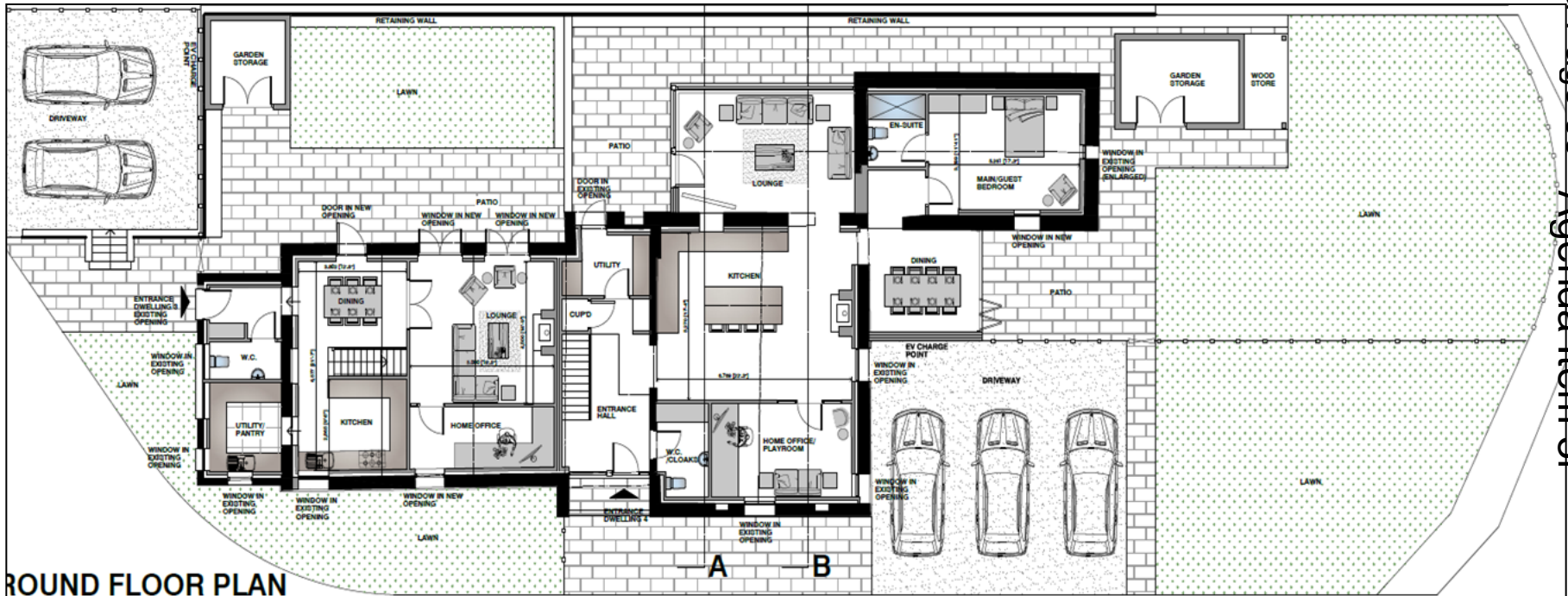
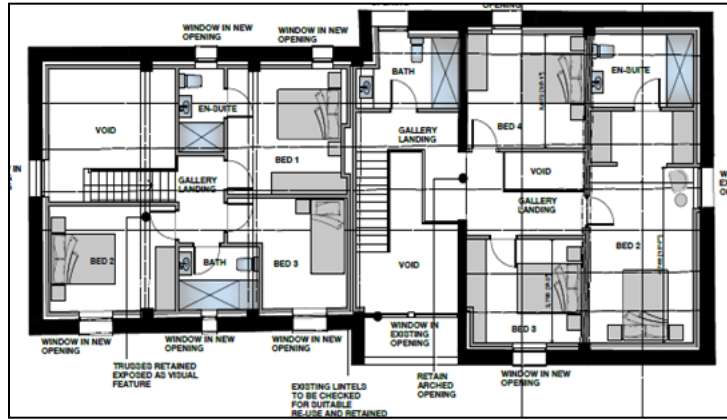
# Proposed Brick Barn Conversion



SIDE ELEVATION



# Proposed Brick Barn Conversion



GROUND FLOOR PLAN



# Site photos – site access track that leads to Back Lane



# Site photos – surrounding land





# Site photos – stone barn





# Site photos - farmhouse





# Site photos – brick barn



# Site photos – brick barn with farmhouse to left





# Site photos – other agricultural buildings not forming part of proposal



**APPLICATION REPORT – 22/01320/FUL****Validation Date: 28 December 2022****Ward: Clayton East, Brindle And Hoghton****Type of Application: Full Planning****Proposal: Erection of 3no. residential dwellings following demolition of existing buildings****Location: Land Adjacent To 715 Preston Road Preston Road Clayton-Le-Woods****Case Officer: Mr Iain Crossland****Applicant: Thistle Homes****Agent: Louise Leyland PWA Planning****Consultation expiry: 3 February 2023****Decision due by: 22 February 2023**

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**RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions and a s106 agreement.

**SITE DESCRIPTION**

2. The application site is located within the settlement area other than the south western extremity, which overlaps with the Green Belt. It comprises a plot of land located to the south west side of 715 Preston Road and forms a small part of the garden to the property and land beyond that was in horticultural use, with several greenhouse buildings in situ. The site itself appears somewhat dilapidated, and although it is set back from Preston Road and well screened from it there is a public bridleway (BW6) running along the access road that connects the site with Preston Road. Other than serving the application site the access road connects Preston Road with Hawksclough Farm and Hawksclough Barn to the south west.
3. Hawksclough Farm is a grade II listed building, the access to which commences adjacent to the application site where there is a gatepost in evidence. This sits on the left hand side of the access track up against the end of a storage shed and adjacent to a telegraph post. The stone post has a tooled finish and is approximately 1.6m high, with angled top. It still has an iron gudgeon on it which is evidence that a gate was hung off it at some time. There is no evidence of age but the access down to Hawksclough is shown on the 1845 map and it is possible that the gate post related to the house/estate. Despite this, it is not considered that the post can be said to form part of the curtilage to Hawksclough, and since it is detached and divorced from it fails in terms of the first test in relation to physical layout of the site. Hawksclough Farm itself is located approximately 190m from the site with an intervening woodland between. As such Hawksclough Farm is not visible from the site.
4. There is a watercourse and wooded area to the north west of the site, which forms part of the Cuerden Valley Park and River Lostock Biological Heritage Site.

5. The character of the area is rather suburban with large areas of housing estates to the south and east either side of Preston Road. However, the character does become more rural to the west where there is woodland and open grassland with Cuerden Valley Park beyond.
6. It is noted that planning permission was granted in November 2020 (ref. 19/01142/FUL) for a residential development comprising 6no. dwellings on the site, and that this consent remains extant.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

7. This application seeks planning permission for the erection of 3no. detached dwellings following the demolition of existing buildings on the site. These would be of a fairly traditional design with a brickwork finish, the details of which are to be confirmed. There would be in-curtilage parking to the frontages with some garden area to the front and larger gardens to the rear. Access would be via a private driveway running adjacent to the existing access road, which would be remodelled to facilitate this and include a turning area.

### **REPRESENTATIONS**

8. Representations in objection have been received from two individuals raising the following issues:
  - Impact on the setting of Hawksclough Farm, which is grade II listed.
  - Impact on the character of the area
  - Impact on amenity through noise and disturbance.
  - Highway safety impacts.
  - The development would require works to land not in ownership or control of the applicants to deliver the access and utilities.
  - Hedging between 719 Preston road should be retained or some other form of screening installed.
  - The visibility splay to the north should be improved
  - Existing buildings should be removed prior to commencement.
  - Parking to existing properties should not be impeded.
  - Restrictions to working hours should be applied.

### **CONSULTATIONS**

9. Greater Manchester Ecology Unit: Note that the application site lies directly adjacent to a Biological Heritage Site (BHS) at Cuerden Valley Park and River Lostock and that an appropriate buffer should be included. Conditions recommended in relation to the need for a construction environmental management plan for biodiversity, a lighting design strategy for biodiversity and a scheme for the biodiversity enhancement measures.
10. Lancashire County Council Highway Services: Do not have any objections in principle.
11. United Utilities: Have identified that there is a wastewater pumping station located immediately to the west of the site and require a minimum no build zone of 15 metres from the wet well of the pumping station. A condition is recommended requiring a surface water drainage scheme and a foul water drainage scheme.
12. Clayton-le-Woods Parish Council: No comments have been received.

### **PLANNING CONSIDERATIONS**

#### Principle of development

13. The majority of the application site is located within Clayton Brook/Clayton Green settlement area as identified in policy V2 of the Chorley Local Plan 2012-2026. This policy sets out a presumption in favour of sustainable development, subject to material planning considerations and other policies and proposals in the plan. However, the Green Belt does overlap the boundary of the site and partially encroaches onto the application site to the south west.



14. The supporting text for policy V2 explains that development proposals within settlement areas may be appropriate for uses such as housing, offices, community facilities or green infrastructure. Proposals will be judged by their compatibility with existing surrounding development and their ability to satisfy material planning criteria. This includes factors such as access, parking, servicing, design and amenity, which includes an assessment of noise, emissions, disturbance because of anti-social hours of operation and traffic generation.
15. Whilst the National Planning Policy Framework (the Framework) and Chorley Local Plan policy V2 set out a presumption in favour of sustainable development, private residential gardens in built up areas are no longer regarded as brownfield land. The Framework allows Local Authorities to set out policies to resist development of residential gardens where the development would cause harm to the character of the area, local amenity or biodiversity balance.
16. Given that part of the site is within a residential garden the application falls to be considered against policy HS3 of the Chorley Local Plan, which states that development within private residential gardens not allocated for housing will only be permitted for (a) appropriately designed and located replacement dwellings where there is no more than one for one replacement, (b) the conversion and extension of domestic buildings, and (c) infill development on gardens which is classified as the filling of a small gap in an otherwise built up street frontage which is typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.
17. The site does not specifically comply with either criteria (a) or (b) due to the nature of what is proposed. Additionally, with the location of the application site, off a narrow access road, located beyond the existing end dwelling and adjoining the Green Belt, does not strictly meet the definition of an infill plot with regards to criteria (c).
18. Notwithstanding this, paragraph 5.29 of the reasoned justification to policy HS3 states that when assessing applications for garden sites the Council will also have regard to the relationship of development to the surrounding character in terms of density, siting, layout, massing, scale, design, materials building to plot ratio and landscaping. The reasoned justification also states that the Council will have regard to sustainability issues such as access to public transport, school, businesses and local services and facilities.
19. The proposal reflects the pattern of development that extends perpendicular to Preston Road from nos.719 to 715, whilst the existing site is not representative of a particular form or character that is specific to this area. With regards to the sustainability criteria detailed above, there are factors which weigh in favour of the proposal. Firstly, a large proportion of the site is located in the Clayton Brook/Clayton Green settlement area just off Preston Road, an A road which serves as one of the main routes into Chorley from the north.
20. The site is also within 600m of Clayton Brook Primary School and is within 1km of an Asda superstore, library and Clayton Green Sports centre. There is also a petrol filling station with Spar store on Preston Road approximately 140m away to the south east. In terms of bus stops, there are bus stops on both sides of Preston Road within close proximity to the site. From these bus stops, 5 services operate frequently.
21. On the basis of the above factors, it is considered that the site is in a sustainable location and, therefore, meets with the objectives of criteria (1) of policy HS3, which seeks to promote sustainable forms of development. This material consideration, therefore, weighs in favour of planning permission being granted for the development.
22. A small part of the site is located within the Green Belt. Paragraph 149 of the Framework states that the construction of new buildings within the Green Belt should be regarded as inappropriate, except in a number of circumstances. In this instance, the development does not include any built development within the Green Belt area. The built development would be entirely within the settlement area and the part of the land included within the Green Belt would not be built upon and would function as garden land.

23. Paragraph 150 of the Framework sets out that 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. This includes material changes in the use of land at paragraph 150.e). The use of the land as garden would not include any buildings and would not therefore impact on openness, whilst its enclosure within the existing site would effectively contain the development preventing encroachment into open countryside. On this basis the proposed would meet with this exception to inappropriate development in the Green Belt.
24. A material consideration in the assessment of the application is the extant planning permission 19/01142/FUL for a residential development comprising 6no. dwellings. In granting planning permission for this development the acceptability of the principle of development has already been established and the previously approved development represents a fall back position.
25. In consideration of the above, the proposed development is considered to be acceptable in principle.

#### Impact on character and appearance of locality

26. The application site is not prominent from Preston Road due to its positioning, difference in levels and intervening structures. However, it is highly prominent from the public bridleway. Currently the appearance of the site is negative one that suffers a sense of dilapidation through its inactive use. The proposal represents an opportunity to introduce an active use and to address the poor appearance.
27. The proposed dwellings would be of a fairly traditional design with a brickwork finish, the details of which are to be confirmed. There would be in-curtilage parking to the frontages with some garden area to the front and larger gardens to the rear. Access would be via a private driveway running adjacent to the existing access road, which would be remodelled to facilitate this and include a turning area. The design style would differ from those at nos.715 to 719 Preston Road, however, similar such dwelling types are not uncommon in the wider area.
28. The dwellings would be laid out in a pattern that reflects the short run of properties from nos.715 to 719 Preston Road facing onto the bridleway. This would help to develop an active frontage and would be a logical pattern of development in the context of the site. Although the dwellings would differ in type to those nearest at nos.715 to 719 Preston Road there is adequate separation such that they would be viewed in their own right, and would not detract from any existing design qualities. In consideration of the character of the wider area it is noted that there is an estate of more modern dwellings extending along the opposite side of the bridleway and beyond the extent of the application site. Although these do not face onto the bridleway, they are clearly visible and have a significant impact on the character of the area around the bridleway and application site. In this context the proposed development would not be in any way harmful to the character of the area.
29. Overall, the proposed development would improve the appearance of the site and would not be harmful to the character of the area in line with policy BNE1 of the Chorley Local Plan 2012-2026.

#### Neighbour amenity

30. 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.
31. The nature of the application site is such that there are very few dwellings that would be impacted upon by the proposed development. The dwelling at no.715 Preston Road is the most affected and is within the ownership of the applicant. The positioning of the dwelling at unit 3 is such that there is a degree of separation between the proposed dwelling and no.715 Preston Road. Although there would be some light loss to the garden area and rear of the dwelling at no.715 Preston Road, during the winter months in particular, this would not

be so severe as to warrant refusal of the application. The dwellings at nos.717 and 719 are further distant and would be affected less.

32. In terms of more general amenity matters, dwellings would provide a compatible land use in relation to existing dwellings, whilst the vehicle movements associated with 3 dwellings would have only limited impacts on noise and disturbance. The relationship between the proposed dwellings themselves is acceptable and in line with the Council's standards.
33. On the basis of the above it is considered that the proposed development would have no unacceptably adverse impact on the amenity of the occupiers of any existing or future occupiers and complies with policy BNE1 of the Chorley Local Plan 2012-2026.

#### Highway safety

34. The application site is located off Preston Road and served by a private access over which an existing bridleway (9-9-BW 6) route passes over. Preston Road is part of the adopted highway with a speed limit of 40mph and pedestrian footways on both sides of the carriageway. The current junction is part of the adopted highway and, therefore, any works to make modifications to this junction would require a Section 278 agreement.
35. The proposal is for 3no. four-bedroom dwellings with integral garages and private driveways, which also provide pedestrian access. The proposal would not front onto the adopted highway but would access it via a private access, which a bridleway also uses.
36. As part of the proposal, the private access and its junction with the adopted highway are proposed to be altered to provide an improved access. LCC Highway Services do not have any objections to the proposed improved junction. It is requested that tactile paving provision is provided across the mouth of the junction to help users of the site navigate when travelling by sustainable means.
37. The proposed internal highway layout does not meet LCC Highways Services' minimum requirements for it to be considered for adoption. The minimum requirements are a 5.5m wide carriageway with 2m wide footways on either side (a 0.5m wide service verge is acceptable where there is no residential service. As the minimum requirements are not met LCC Highway Services would not consider the proposed internal highway for adoption. A maintenance and management agreement would need to be in place for the proposed internal highway. The applicant has confirmed that the highway would not be offered up for adoption.
38. The integral garage dimensions and individual car parking are acceptable to be used as individual parking spaces, and there would be adequate off-street parking in line with the Council's parking standards on this basis. It is noted that the proposed driveways are of insufficient length to allow effective use of the proposed garages, therefore, it is recommended that roller shutters are fitted to garages, which should be secured by condition as part of the planning decision. It is also recommended that the garages are prevented from conversion by condition in order to retain adequate parking provision at the site.
39. LCC Highway Services have questioned how the refuse collection for the proposed dwellings would operate. The applicant has confirmed that the bins would be moved to the bin storage area close to the road junction on bin day by residents. It is not intended that the refuse vehicle would enter the site; instead the refuse vehicle would stop on Preston Road and collect bins from the store as it does at present.

#### Ecology

40. The proposal includes the demolition of the existing horticultural buildings and the site is adjacent to Clayton Brook, which also falls within Cuerden Valley Park and River Lostock Biological Heritage Site (BHS). Following a review of the proposal by the council's ecology advisors, GMEU, it is considered that the likelihood of the built structures on the site having the potential to support bat roosting activity is negligible. Subject to conditions, there are no objections to the proposal on ecology matters.

41. Given the proximity to the BHS it is expected that a sufficient buffer should be provided between the development and the BHS. This could be achieved by setting the rear boundaries of the garden 5m from the BHS boundary to ensure the riparian corridor is protected once the properties are occupied. A landscape plan for the buffer zone should also be submitted, which should include planting of suitable locally native woody vegetation or other riparian planting where appropriate. The applicant has confirmed that they would be willing to provide these details in response to an appropriate condition, and it is recommended that such details be required as part of a landscaping condition attached to any grant of planning permission.
42. Notwithstanding the above, the BHS and riparian corridor would require protecting during any construction works, should permission be granted. It is, therefore, recommended that a construction environmental management plan for Biodiversity be required by condition attached to any grant of planning permission.
43. It is noted that seven trees, with four of these being category B, and one category C, would be removed in order to facilitate the proposal. It is expected that the proposed development shall include measures to enhance biodiversity at the site and to provide a net gain for biodiversity, in line with the requirements of the Framework and policy BNE9 of the Chorley Local Plan. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a scheme for biodiversity enhancement measures, which should be reflected in the proposed landscaping for the site.
44. On the basis that the trees to be removed are compensated for within the landscaping and biodiversity enhancement measures, and that a sufficient buffer should be provided between the development and the BHS, the proposed development is considered to be in line with policies BNE 9 and 10 of the Chorley Local Plan 2012 – 2026.

#### Impact upon heritage assets

45. The site is located in excess of 180m from the grade II listed building of Hawksclough Farm and there is substantial intervening vegetation between the two and an existing housing estate. It is noted that the locality around the site and beyond has been substantially altered over the years by the development of Clayton Brook and the modern housing developments which, run alongside the access road and bridleway such that they have completely altered the approach to the listed building.
46. It is considered that the degree of visual separation between the proposed housing and Hawksclough Farm, and the intervening modern residential developments which has occurred close by, is such that the current housing scheme for three dwellinghouses would not harm the contribution made by the current setting. It is concluded, therefore, that the proposed development would not have any impact on the significance of Hawksclough Farm, which includes the contribution made by its setting.
47. Any indivisibility is, therefore, unlikely and there would be no harm to the heritage asset or its setting. As such, there would be no conflict with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012-2026.

#### Flood risk and drainage

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

3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
50. It is, therefore, recommended that a condition be attached to any grant of planning permission requiring a surface water drainage scheme to be submitted that includes details of an investigation of the hierarchy of drainage options in the National Planning Practice Guidance.
51. It is noted that United Utilities records have identified that a public sewer crosses the site and that a wastewater pumping station is located in the vicinity the site. It has been advised that this must not be built over and a no build zone established. United Utilities have concerns regarding the proximity of the proposed development to these assets. To resolve this matter, and to avoid any unnecessary costs or delays to either the applicant or any future developer, it was requested that the applicant seeks to address this matter prior to determination of the application as it could have a bearing on the siting of the dwellings, which could result in the scheme being unimplementable.
52. This, however, is a risk to the applicant and in this instance the applicant has indicated that they are aware that they would need to confirm the location of the pipeline, with a possible diversion required if the asset is likely to be impacted. It is also noted that a no build zone can be established with the wastewater pumping station given the available space at the site.

#### Sustainability

53. 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 1<sup>st</sup> 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.”*

54. 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.



Public open space (POS)

55. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
56. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
57. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.
58. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
59. There is currently a deficit of provision in Clayton East Brindle and Hoghton 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. The Chorley Open Space, Sports and Recreation Strategy (OSSR) Action Plan 2020 to 2036 identifies KKP ref 1339 Gough Lane for new provision. A section 106 agreement will therefore be required to secure this contribution.

Community Infrastructure Levy

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

**CONCLUSION**

61. There would be no unacceptable detrimental impact on the character and appearance of the area or the amenity of neighbouring occupiers as a result of the proposed development. In addition, the development is located in a sustainable location and would not have an unacceptable impact on highway safety, ecology or any heritage assets. On the basis of the above, it is recommended that planning permission be granted.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 17/00869/OUT      **Decision:** PEROPP      **Decision Date:** 5 January 2018  
**Description:** Outline application (all matters reserved, save for access) for the demolition of existing structures and erection of 2 no. detached dwellings

**Ref:** 19/01142/FUL      **Decision:** PERFPP      **Decision Date:** 11 November 2020  
**Description:** Residential development comprising 6no. dwellings including demolition of existing garden outbuildings and garage

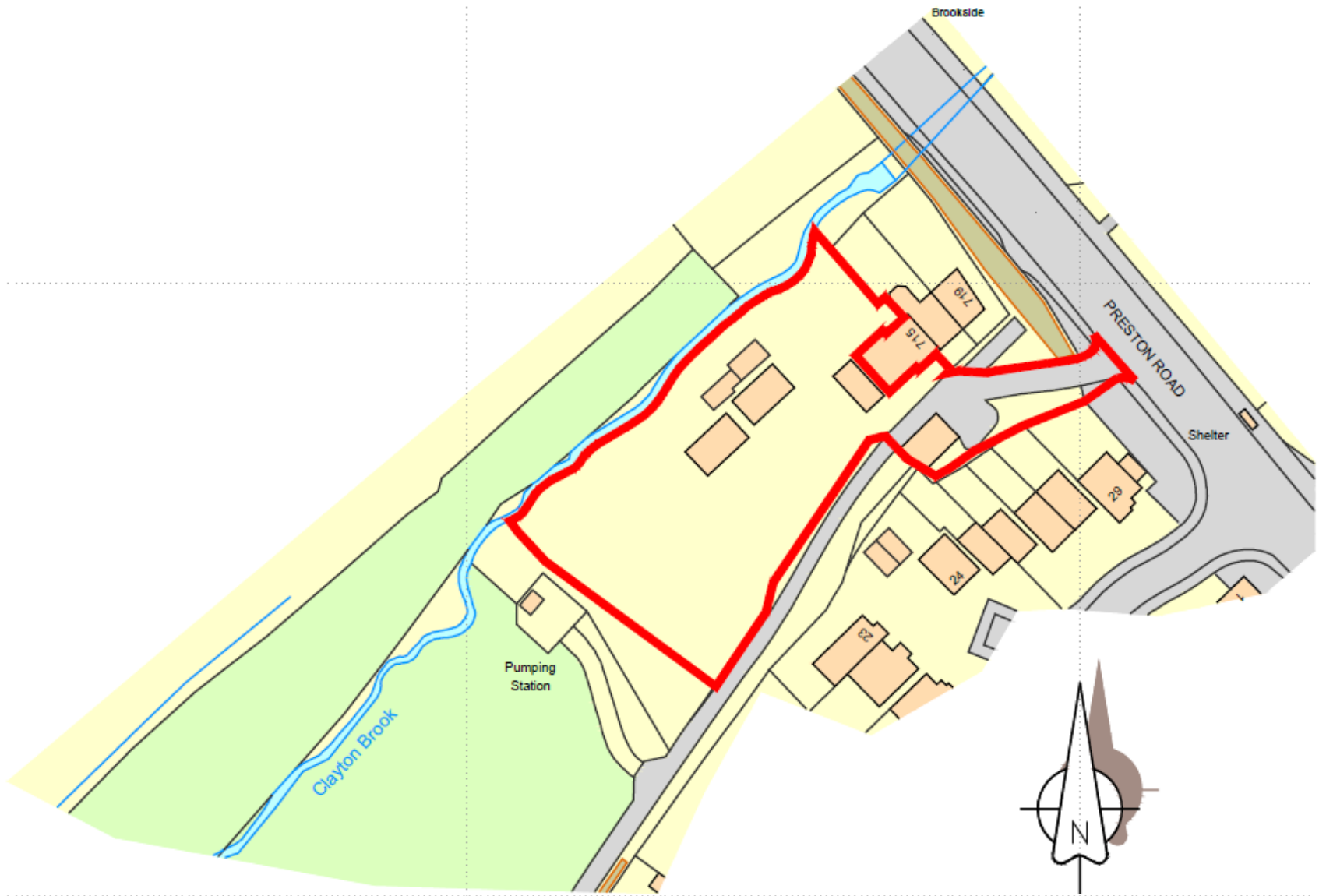
**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless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

Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Suggested conditions

To follow

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# LOCATION PLAN

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## Planning Committee Meeting

28 March 2023



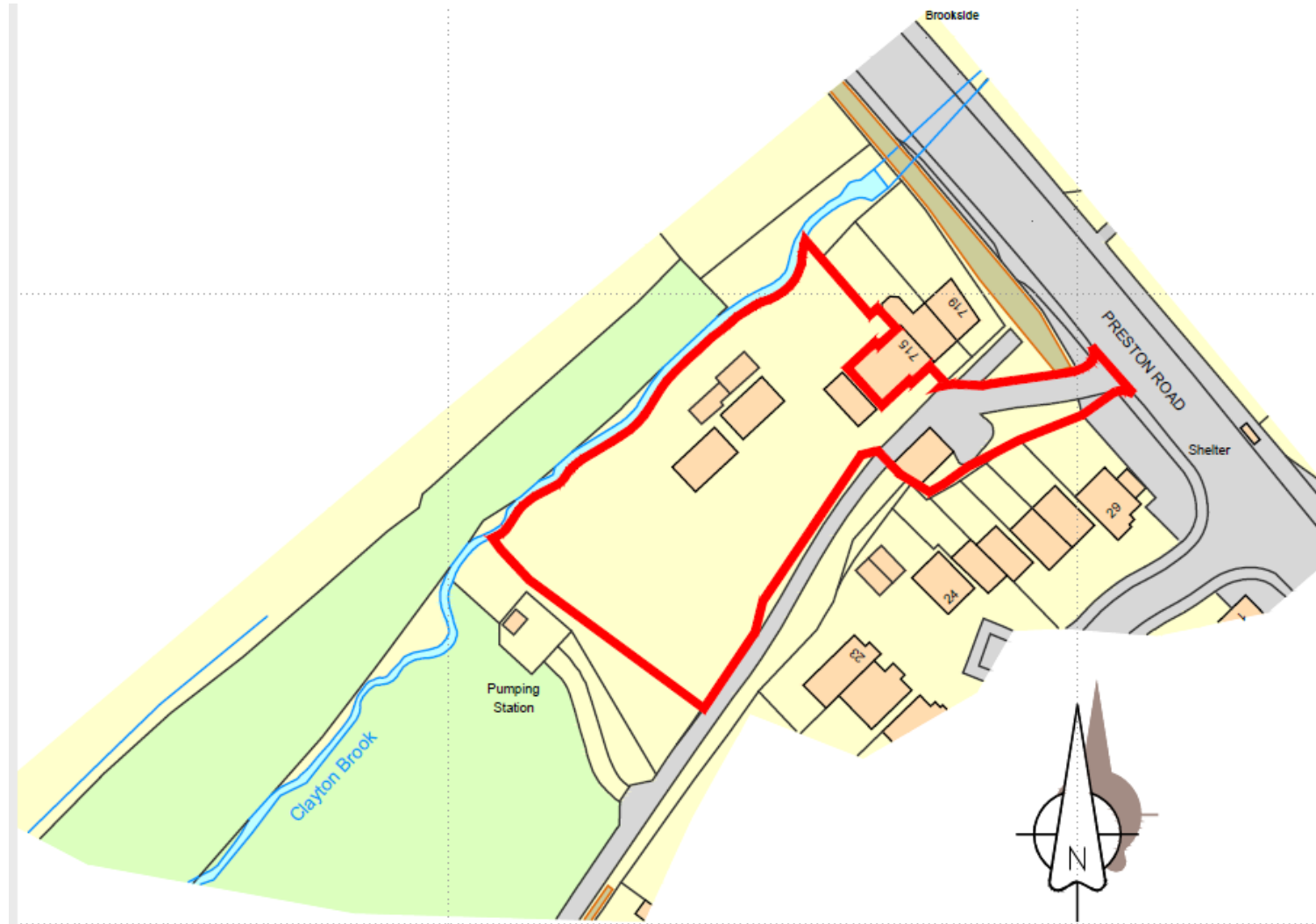
# Item 3g

22/01320/FUL

Land Adjacent To 715 Preston Road, Clayton-Le-Woods

Erection of 3no. residential dwellings following demolition of existing buildings

# Location plan





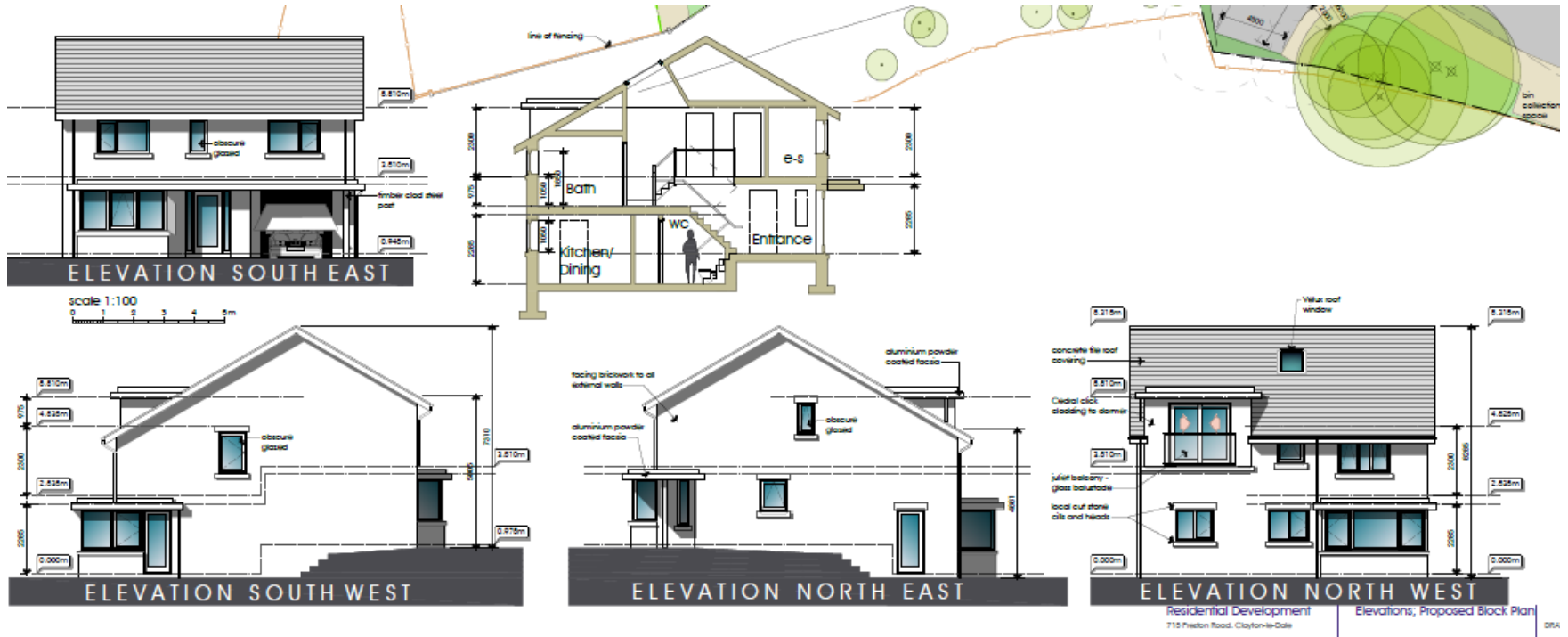
# Aerial photo



# Site plan



# Proposed elevations





# Site photo





# Site photo





# Current access track





# Access to Preston Road





# Access towards the site





# Site access from Preston Road



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**ITEM 3g - 22/01320/FUL – Land Adjacent To 715 Preston Road, Preston Road, Clayton-Le-Woods**

**The recommendation remains as per the original report**

**The following conditions are recommended:**

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	3332-001	28 December 2022
Elevations and Proposed Block Plan	3332-002A	28 December 2022

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

3. Prior to their installation, details 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: To ensure that the materials used are visually appropriate to the locality.*

4. Prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- a) identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

*Reason: The riparian corridor is likely to be used by bats for foraging and commuting.*

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- a) Risk assessment of potentially damaging construction activities.
- b) Identification of "biodiversity protection zones".
- c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- d) The location and timing of sensitive works to avoid harm to biodiversity features.
- e) The times during construction when specialist ecologists need to be present on site to oversee works.
- f) Responsible persons and lines of communication.

- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

*Reason: the BHS and riparian corridor will require protecting during any construction works*

6. Prior to the commencement of development, a Biodiversity Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

Identify a biodiversity buffer zone between the site and the adjacent Biological Heritage Site (BHS) with a minimum 5m gap between rear property boundaries and the edge of the BHS

- Demonstrate a net gain in the biodiversity value of the site post development
- Provide full details of habitats to be enhanced and habitats to be created including habitat type, area and target condition
- Provide full details of proposed species to be planted or introduced by seed to the site, particularly with regard to the biodiversity buffer zone
- Provide details on the methodology to create and establish the proposed habitats and enhance the existing habitats
- Provide a bird and bat box plan
- Provide details of mechanisms to monitor and remediate if necessary the success of the plan

The works shall be carried out strictly in accordance with the approved details prior to the first occupation of any dwelling hereby approved.

*Reason: To ensure the scheme promotes habitat enhancement.*

7. During the construction period, all trees to be retained shall be protected in accordance with the details contained in the Tree Protection Plan and Arboricultural Method Statement produced by Treestyle Consultancy Ltd received 28 December 2022 and in all other cases in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees to be retained.*

8. A scheme for the landscaping of the development and biodiversity enhancement measures shall be submitted prior to the construction of the superstructure of any of the dwellings hereby permitted. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail bird and bat box provision, any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

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

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

9. Prior to the construction of the superstructure of any of the dwellings hereby permitted, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the

approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.*

10. 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.*

11. 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.

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.*

12. No dwelling shall be occupied until the estate street affording access to the development has been completed in accordance with the approved layout.

*Reason: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.*

13. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

*Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.*

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.

*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.*

15. No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.

*Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

16. Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

*Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.*

17. No development shall take place, until a Construction and Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMP shall include and specify the provisions to be made for the following:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- Hours of on site operations.

Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

18. The integral garages shall be kept freely available for the parking of cars and shall not be converted to living accommodation. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order amending or revoking and re-enacting that order.

*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.*

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**APPLICATION REPORT – 23/00013/FULHH**

**Validation Date: 5 January 2023**

**Ward: Buckshaw And Whittle**

**Type of Application: Householder Application**

**Proposal: Installation of 3no. rear rooflights and 1no. front rooflight in order to facilitate provision of second floor living accommodation**

**Location: 9 Seaforth Crescent Buckshaw Village Chorley PR7 7HL**

**Case Officer: Simon Lems**

**Applicant: Mr & Mrs Riggott**

**Agent: Mrs Melanie Scarff**

**Consultation expiry: 1 February 2023**

**Decision due by: 31 March 2023 (Extension of time agreed)**

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**RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions.
2. This application is being brought before committee for determination as one of the applicants is a Councillor.

**SITE DESCRIPTION**

3. The application site is located within the residential housing estate of Buckshaw Village, although is also within the Green Belt. It is located on the south western side of Seaforth Crescent. The existing property is a detached two storey dwellinghouse with front and rear gardens and a detached garage. The immediate locality is characterised by similar properties.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for the installation of 3no. rear rooflights and 1no. front rooflight in order to facilitate provision of second floor living accommodation, as permitted development rights have been removed from the property.

**RELEVANT HISTORY OF THE SITE**

5. There is no recent relevant history of the site.

**REPRESENTATIONS**

6. No representations have been received.

**CONSULTATIONS**

7. CIL Officers – Advise that the proposal is not CIL liable.

8. Euxton Parish Council – Commented stating the additional bedroom would put the property into the category of requiring additional parking. Ensure there are 3 parking spaces for the 5-bedroom capacity.

### **PLANNING CONSIDERATIONS**

#### Principle of the development in the Green Belt

9. The National Planning Policy Framework (The Framework) states that there is a general presumption against inappropriate development in the Green Belt and advises that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. It also states that local authorities should regard the construction of new buildings as inappropriate in the Green Belt; exceptions include 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.
10. No increase in volume would occur as a result of the proposal as it relates to the installation of rooflights to facilitate second floor living accommodation in the existent loft space. As this is the case, it is not considered that the proposed alterations would result in a disproportionate addition over and above the size of the original building. The proposed development is, therefore, not inappropriate development in the Green Belt and is considered to be acceptable in principle.

#### Design and impact on the dwelling and streetscene

11. Policy HS5 of the Chorley Local Plan 2012 – 2026 stipulates that the proposed extension respects the existing house and the surrounding buildings in terms of scale, size, design and facing materials, without innovative and original design features being stifled.
12. The Householder Design Guidance SPD states that rooflights should, where possible, be located on the rear or least visible roof slopes and that excessive numbers of rooflights are detrimental.
13. The proposed alterations would be visible from public vantage points. They would be of modest scale and size, would respect the surrounding buildings and the design would be compatible with the appearance of the host property. On the basis of the above the proposed alterations would respect the appearance of the existing building and would not be harmful to the character of the area.

#### Impact on the amenity of neighbouring occupiers

14. Policy HS5 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.
15. The Householder Design Guidance SPD asserts that windows should be orientated to prevent direct overlooking of habitable rooms or private amenity space that belongs to nearby properties.
16. The proposed alterations would have an acceptable relationship with neighbouring properties and similar second floor living accommodation can be seen on surrounding properties. The neighbours to the rear at 41 Dorset Drive are approximately 13m to the rear of the property, this degree of separation combined with the angling of the proposed rooflights would be adequate to ensure that there would be no unacceptable adverse impacts on the level of amenity currently enjoyed by the occupiers of this property. The proposal is considered to be acceptable with regards to residential amenity and would comply with policy HS5 of the Chorley Local Plan 2012 – 2026.

Impact on Highway Safety

- 17. 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 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.
- 18. The Householder Design Guidance SPD states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling, and 3 spaces for a larger property, including garages.
- 19. The proposed alterations would create an extra bedroom, this means the property would need to have sufficient space for 3 parking spaces. The driveway of the dwelling has 2 parking spaces and there is sufficient unrestricted on street parking in the vicinity. Therefore, it is considered that the proposal would be acceptable in terms of impact on highways safety and would accord with the adopted Chorley Council Local Plan 2012-2026 and adopted Supplementary Planning Guidance. Further, the loft conversion itself does not require planning permission.

**CONCLUSION**

- 20. The proposed development would not be inappropriate development in the Green Belt or be harmful to the character and appearance of the existing dwelling or the surrounding area, nor would it cause any unacceptable adverse impacts on the amenity of neighbouring residents. It is, therefore, considered that the development accords with policy HS5 of the Chorley Local Plan 2012 – 2026 and the Householder Design Guidance Supplementary Planning Document. Consequently, it is recommended that the application is approved, subject to conditions.

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

Suggested Conditions

- 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:

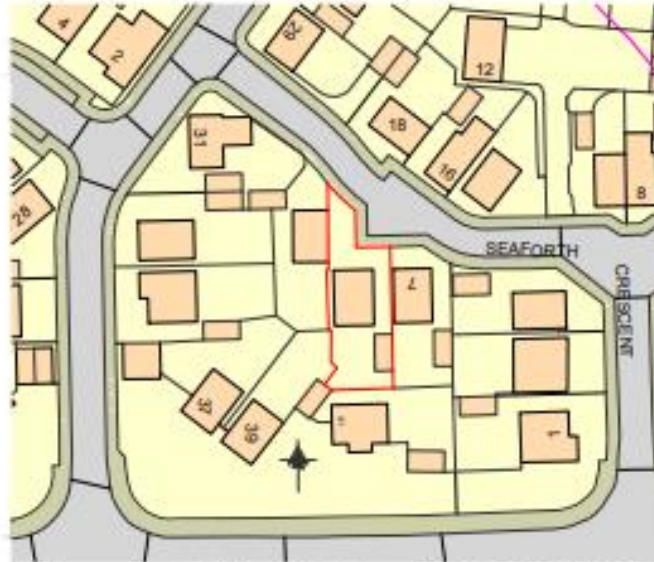
Title	Plan Ref	Received On
Proposed Loft Conversion at 9 Seaforth Crescent, Buckshaw Village, Chorley, PR7 7HL	N/A	23 January 2023

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

- 3. 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.*



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## Location Plan 1:1250



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# Development Control Committee Meeting

28<sup>th</sup> March 2023



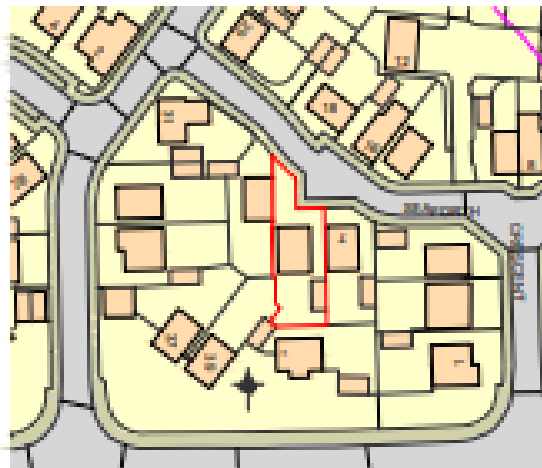
# Item 3h

23/00013/FULHH

9 Seaforth Crescent, Buckshaw Village,  
Chorley, PR7 7HL

Installation of 3no. rear rooflights and 1no.  
front rooflight in order to facilitate provision  
of second floor living accommodation

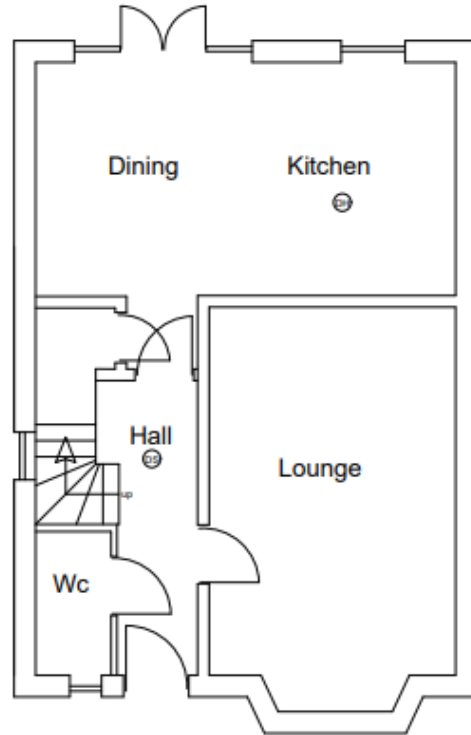
# Location Plan



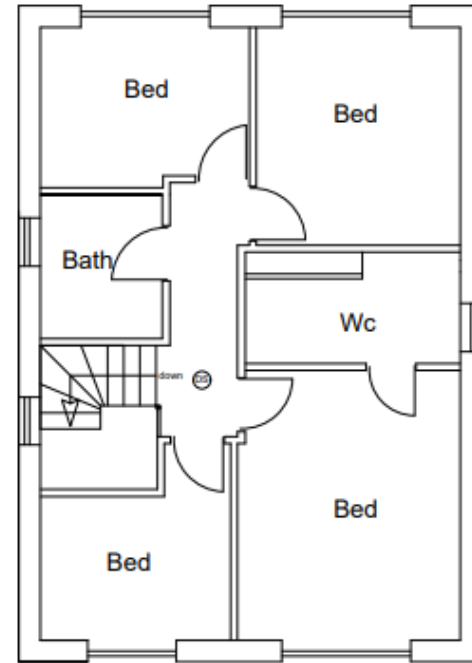
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Location Plan 1:1250

# Existing Floor Plans



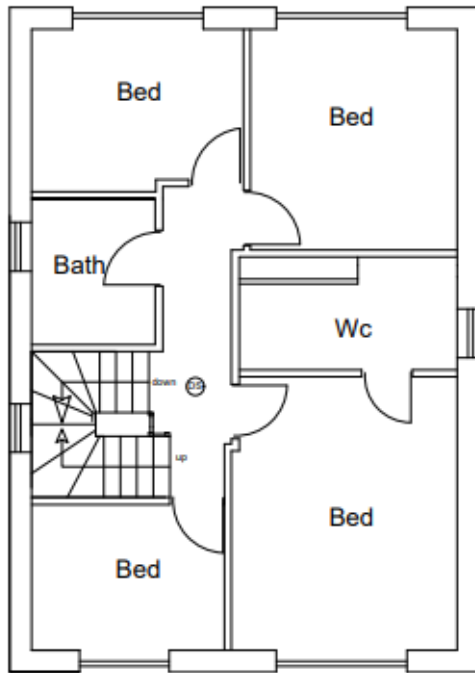
EXISTING GROUND FLOOR



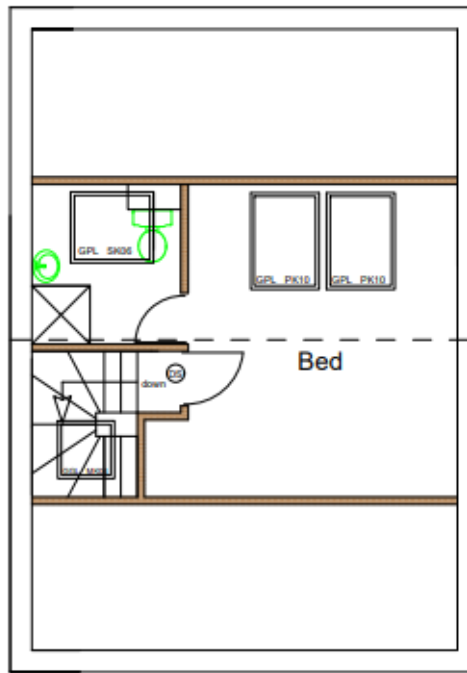
EXISTING FIRST FLOOR



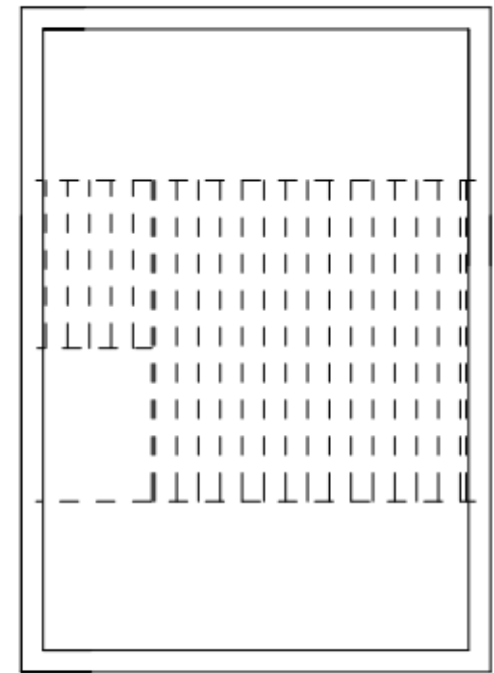
# Proposed Floor Plan



PROPOSED FIRST FLOOR



PROPOSED SECOND FLOOR



PROPOSED FLOOR LAYOUT

# Existing Elevations

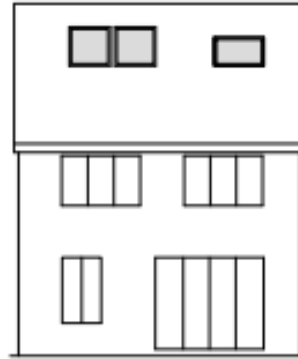


EXISTING REAR



EXISTING FRONT

# Proposed Elevations



PROPOSED REAR



PROPOSED FRONT

# Existing front elevation



# Existing rear elevation





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**APPLICATION REPORT – 21/00387/FULMAJ**

**Validation Date: 30 March 2021**

**Ward: Eccleston, Heskin And Charnock Richard**

**Type of Application: Major Full Planning**

**Proposal: Installation of running track (retrospective)**

**Location: Christ Church Charnock Richard C Of E Primary School Church Lane Charnock Richard Chorley PR7 5NA**

**Case Officer: Mike Halsall**

**Applicant: The School Governors of Christ Church Charnock Richard C Of E Primary School**

**Agent: Cowan & Co**

**Consultation expiry: 16 November 2021**

**Decision due by: 28 April 2023 (Extension of time agreed)**

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**RECOMMENDATION**

1. It is recommended that Planning Committee be minded to grant planning permission, subject to conditions and that the application be referred to the National Planning Casework Unit to determine whether the Secretary of State wishes to call the application in for a decision. This is required by the provisions of Part 4 of the Town and Country Planning (Consultation) (England) Direction 2021 because the English Sports Council (“Sport England”) has been consulted pursuant to article 10(1) of the Order, and has made representations objecting to the development.

**SITE DESCRIPTION**

2. The application relates to the playing field of Christ Church Charnock Richard C Of E Primary School located on the southern side of Church Lane, within the defined settlement boundary of Charnock Richard, as shown on the Chorley Local Plan policies map. The playing field is surrounded by the school buildings to the north, a Scout and Guides building to the west on Charter Lane, open fields to the south and dwellings to the east, beyond a multi-use games area.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

3. The application seeks full planning permission, retrospectively, for the installation of a running track to the perimeter of the playing field, on the outside of two five-a-side football pitches to enable pupils to complete the ‘daily-mile’ exercise. The track is approximately 300m long and 1.3m wide.
4. A cross section drawing has been provided in support of the application, which identifies that the path is constructed of a geotextile membrane approximately 100mm below ground level, overlaid by a sub-base layer of compacted Type 1 MOT and finally a 30mm compacted stone surface and timber board edgings. There is a slight camber to the surface for drainage purposes.

5. The application was originally registered as a Major application due to the red-edged site boundary covering more than 1 hectare, covering the entire curtilage of the school grounds. This was amended during the consideration period of the application to be restricted to the area of development, i.e. around the running track. The application is therefore no longer a Major development, although the 'FULMAJ' suffix has remained for administration purposes and to avoid any confusion by changing the application reference number.

## REPRESENTATIONS

6. No representations have been received.

## CONSULTATIONS

7. Sport England: Despite negotiations between the applicant and Sport England having taken place, Sport England have responded in objection to the proposal, as follows:

### ***'Sport England – Statutory Role and Policy***

*It is understood that the proposal prejudices the use, or leads to the loss of use, of land being used as a playing field or has been used as a playing field in the last five years, as defined in the Town and Country Planning (Development Management Procedure) (England) Order 2015 (Statutory Instrument 2015 No. 595). The consultation with Sport England is therefore a statutory requirement.*

*Sport England has considered the application in light of the National Planning Policy Framework (particularly Para 97) [sic – now paragraph 99] and Sport England's Playing Fields Policy, which is presented within its 'Playing Fields Policy and Guidance Document':*

*Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of, all/part of a playing field, unless one or more of the five exceptions stated in its policy apply.*

### ***The Proposal and Impact on Playing Field***

*It is understood that the proposal is for a running track. The proposed position of the track would encroach onto the playing field into an area used previously as a running track and football pitches. The development would lead to a loss of playing field, and prejudice the use of the remaining area playing field, along with limiting the space that can be used for pitches and preventing them from being rotated, repositioned or reconfigured to provide different sized pitches and spread wear and tear.*

### ***Assessment against Sport England Policy/NPPF***

*Sport England's role is to protect playing fields. In order to be clear on the definition of a playing field, the Town and Country Planning (Development Management Procedure) (England) Order 2015 defines a playing field as 'the whole of a site which encompasses at least one playing pitch'. This definition is also provided within the glossary to the Government's National Planning Policy Framework. The definition refers to the whole of a site and therefore does not just cover land which is currently laid out as pitches. It also does not differentiate between different types of ownership e.g. public, private or educational ownership. Sport England considers proposals affecting playing fields in light of the National Planning Policy Framework (NPPF) (in particular Para. 97) [sic – now paragraph 99] and against its own Playing Fields Policy, which states:*

*'Sport England will oppose the granting of planning permission for any development which would lead to the loss of, or would prejudice the use of:*

- all or any part of a playing field, or*
- land which has been used as a playing field and remains undeveloped, or*

- land allocated for use as a playing field

unless, in the judgement of Sport England, the development as a whole meets with one or more of five specific exceptions.’

<b>Sport England Policy Exceptions</b>	
E1	A robust and up to date assessment has demonstrated, to the satisfaction of Sport England, that there is an excess of playing field provision in the catchment, which will remain the case should the development be permitted, and the site has no special significance to the interests of sport.
E2	The proposed development is for ancillary facilities supporting the principal use of the site as a playing field and does not affect the quantity or quality of playing pitches or otherwise adversely affect their use.
E3	The proposed development affects only land incapable of forming part of a playing pitch and does not: <ul style="list-style-type: none"> <li>▪ reduce the size of any playing pitch;</li> <li>▪ result in the inability to use any playing pitch (including the maintenance of adequate safety margins and run-off areas);</li> <li>▪ reduce the sporting capacity of the playing field to accommodate playing pitches or the capability to rotate or reposition playing pitches to maintain their quality;</li> <li>▪ result in the loss of other sporting provision or ancillary facilities on the site; or</li> <li>▪ prejudice the use of any remaining areas of playing field on the site.</li> </ul>
E4	The area of playing field to be lost as a result of the proposed development will be replaced, prior to the commencement of development, by a new area of playing field: <ul style="list-style-type: none"> <li>▪ of equivalent or better quality, and</li> <li>▪ of equivalent or greater quantity, and</li> <li>▪ in a suitable location, and</li> <li>▪ subject to equivalent or better accessibility and management arrangements.</li> </ul>
E5	The proposed development is for an indoor or outdoor facility for sport, the provision of which would be of sufficient benefit to the development of sport as to outweigh the detriment caused by the loss, or prejudice to the use, of the area of playing field.

**Assessment is made against the Playing Fields Policy Exceptions E1- E5 as follows:**

*E1: Does not apply, there is no evidence to suggest that the playing field is not needed.*

*E2: Does not apply, the proposal does not propose ancillary facilities supporting the use of the site as a playing field.*

*E3: Could apply if it were clear that the track did not affect land laid out as football pitches (and safety margins) or used for summer sports including for example running and rounders, including the ability to resize, move and rotate pitches as required for those respective sports now or in the future.*

*E4: Does not apply, not relevant, the playing field lost is not going to be replaced.*

*E5: Does not apply, the track is not designed as a running track for sport.*

*There is insufficient evidence to demonstrate that the proposal meets any (and which) of the policy exceptions, it would be built on the playing field, it would abut a marked pitch and not protect its safety margin, it would restrict the size of pitch that could be accommodated now and in the future and prevent rotation and repositioning to spread wear and tear; and accommodate different pitch sizes depending on need and age; it's position also leaves*

*small strips of playing field that become sterilised from use as part of the wider playing field. No justification of the need for it has been provided. Its surface, compacted stone, can hardly be described as a surface for a running track, it would be more akin to an informal amenity path.*

*The National Planning Policy Framework paragraph 97 [sic – now paragraph 99] states that existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*

- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
- b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
- c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*

*In this instance the development would not accord with paragraph 97 [sic – now paragraph 99] because the area of playing field lost would not be replaced, and the location of the track affects land laid out as pitches and their safety margins. The proposal is not designed for sport and there is no justification, or any strategic need demonstrated for a running track facility. Furthermore, the proposal would prejudice the use of the playing field and sterilise parts from future use whereby failing to meet NPPF paragraph 182. [sic – now paragraph 187]’*

8. Charnock Richard Parish Council: Have responded with no objection to the proposal.

## **PLANNING CONSIDERATIONS**

### Principle of the development

9. The National Planning Policy Framework (the Framework) states that applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.
10. Of particular relevance to the proposed development is paragraph 92 of the Framework that states: *‘Planning policies and decisions should aim to achieve healthy, inclusive and safe places which: c) enable and support healthy lifestyles, especially where this would address identified local health and well-being needs – for example through the provision of safe and accessible green infrastructure, sports facilities, local shops, access to healthier food, allotments and layouts that encourage walking and cycling.’*
11. Paragraph 99 of the Framework goes on to state *“existing open space, sports and recreational buildings and land, including playing fields, should not be built on unless:*
- a) an assessment has been undertaken which has clearly shown the open space, buildings or land to be surplus to requirements; or*
  - b) the loss resulting from the proposed development would be replaced by equivalent or better provision in terms of quantity and quality in a suitable location; or*
  - c) the development is for alternative sports and recreational provision, the benefits of which clearly outweigh the loss of the current or former use.*
12. Paragraph 187 of the Framework states that: *‘Planning policies and decisions should ensure that new development can be integrated effectively with existing businesses and community facilities (such as places of worship, pubs, music venues and sports clubs). Existing businesses and facilities should not have unreasonable restrictions placed on them as a result of development permitted after they were established.’*
13. The Central Lancashire Core Strategy policy 24 covers sport and recreation and seeks to ensure that everyone has the opportunity to access good sport, physical activity and recreation facilities (including children’s play) by d) identifying sites for major new facilities where providers have evidence of need.



14. The application site is located in the settlement area of Charnock Richard. 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 application site is an existing sports facility; however, the proposed development seeks to upgrade the sports facilities through the addition of the proposed track to enable pupils to complete the daily mile exercise. It is, therefore, considered that the proposal represents the provision of a new facility and so should be assessed against policy HW1 of the Chorley Local Plan 2012 – 2026, which covers the provision of new open space, sport and recreational facilities.
16. Policy HW1 states that proposals for the provision of new open space, sport and recreational facilities or extensions to existing facilities will be permitted if all criteria of the policy are met. These are set out and addressed as follows:

*The development will not have an adverse impact on the local environment or visual character of the landscape;*

The application site is well contained within a wider, well defined, school site. The track is a surface level development which would be imperceptible from outside the application site and is considered to be of an appropriate design and appearance which would cause no harm to the local environment or visual character of the landscape.

*The development will not result in the loss of the best and most versatile agricultural land (Grades 1, 2 and 3);*

No agricultural land would be lost as a result of the proposed development.

*The development will not cause harm to a site of nature conservation value;*

The track is located on an area of the site previously used as playing field and so of little or no ecological value. On this basis, it is not considered that the development would cause harm to a site of nature conservation value, and would also be in line with policies BNE9 and BNE11 of the Chorley Local Plan 2012-2026, which seeks to protect and conserve biodiversity and ecological networks.

*The development will not harm the amenities of local residents;*

The proposal is for the redevelopment of an existing sports and recreation facility within an established school grounds. As such, there would already be some degree of impact from noise and disturbance in relation to nearby residential occupiers. It is not considered the proposal would have any notable impact compared to the existing situation.

*The site is accessible by a choice of means of transport other than the private car and the traffic generated would not have a severe impact on the highway network.*

The track is located within the grounds of the school and would not result in any increase in vehicle movements or parking demand.

17. Policy HW2 of the Chorley Local Plan 2012 – 2026 reflects that of paragraph 99 of the Framework and Sport England policy and seeks to protect existing open space and states that land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless certain criteria can be met. This approach is reflected and supported in the Framework.
18. Policy HW2 states that: *'Land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:*

- a) Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or
- b) It can be demonstrated that the loss of the site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and
- c) The site is not identified as being of high quality and/or high value in the Open Space Study; and
- d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and e) The site does not make a significant contribution to the character of an area in terms of visual amenity.'

19. Sport England's objection to the proposal is noted and must be given appropriate weight in the planning balance. The applicant has responded to their objection as follows:

*'The football club have advised that they can accommodate two 5 a-side pitches if necessary, however, they generally only require one pitch for training purposes. The school field is no longer used by the club for older children as their own facilities have been significantly enhanced. The football club have also advised that they can safely incorporate the running track within the run-off area for the pitches. It is also worth noting that the school field could never accommodate a full 7 a-side pitch... The local football group were consulted on the size of the track to ensure that they could still use the field for matches when needed. The daily mile track has significantly improved the school's outdoor facilities and has enabled pupils to use the field all year round to complete the daily mile this has greatly improved the fitness level of pupils and has also enhanced the school's curriculum. The track has not impeded on the football club's use of the field as the pitches can be accommodated within the area available and they have continued to regularly use the field since the track was installed over a year ago.'*

Charnock Richard Junior Football Club have responded to state that: *'we are able to fit 2 5-a-side pitches inside the running track and are able to use these for our matches and training. We have managed to do this whilst incorporating the running track safely within the run-off area for the pitches.'*

20. Sport England's primary concerns appear to be with the track impeding on a 3m safety margin around the pitches and that the track restricts the pitches from being moved/rotated to allow the surface to restore itself. It seems from the above responses however that the pitches are still being used effectively and that the track is providing additional health benefits to school pupils. It is not considered that there is any conflict with policy HW2 of the Chorley Local Plan or paragraphs 99 or 187 of the Framework as the use of the pitches is not being impeded. Further, the use of the field has increased through the introduction of the track for the daily mile exercise. The proposal is therefore supported by paragraph 92 of the Framework and 24 of the Core Strategy.
21. Overall, it is considered that this proposal would improve access and opportunities for physical activity through the retention of a track to enable pupils to complete the daily mile exercise. The proposal is therefore considered to comply with the Framework, policy 24 of the Central Lancashire Core Strategy and policies HW1 and HW2 of the Chorley Local Plan 2012 – 2026 and is, therefore, acceptable in principle.

#### Other issues

##### *Drainage and Flood Risk*

22. The track surface is cambered so that surface water would run-off to surrounding grassed areas. Given the relatively small surface area of the proposed track and abundance of surrounding permeable grassed playing field, it is not considered the track would result in any unacceptable impacts with regards to flood risk or drainage.

**CONCLUSION**

23. The proposed development would enhance the recreational potential of the existing school playing field, and the social benefits in terms of increasing opportunities for sport and recreation in supporting healthy lifestyles are clear. The development would not impact unacceptably on the overall appearance and character of the area and there would be no harmful impact on neighbour amenity over and above the current situation. Nor would there be any harmful impact on highway safety or surface water drainage. On this basis it is recommended that Planning Committee be minded to grant planning permission, subject to conditions and that the application be referred to the National Planning Casework Unit to determine whether the Secretary of State wishes to call the application in for a decision.

**RELEVANT HISTORY OF THE SITE**

- Ref:** 00/00536/FUL **Decision:** PERFPP **Decision Date:** 23 August 2000  
**Description:** Extension to classroom,
- Ref:** 03/00407/FUL **Decision:** PERFPP **Decision Date:** 24 June 2003  
**Description:** Extension to toilets,
- Ref:** 08/00882/FUL **Decision:** PERFPP **Decision Date:** 25 September 2008  
**Description:** Erection of two single storey extensions,
- Ref:** 14/00328/FUL **Decision:** PERFPP **Decision Date:** 22 May 2014  
**Description:** Installation of canopy to external play area to facilitate outdoor teaching.
- Ref:** 17/00134/FUL **Decision:** PERFPP **Decision Date:** 30 March 2017  
**Description:** Construction of a single storey extension to the existing school building to form a new classroom.
- Ref:** 19/00370/FUL **Decision:** PERFPP **Decision Date:** 20 June 2019  
**Description:** Erection of single storey extension.
- Ref:** 19/00402/FUL **Decision:** PERFPP **Decision Date:** 5 August 2019  
**Description:** Multi-Use Games Area
- Ref:** 21/00605/PAR **Decision:** PAAPP **Decision Date:** 9 July 2021  
**Description:** Installation of roof mounted solar PV panels
- Ref:** 91/01033/FUL **Decision:** PERFPP **Decision Date:** 15 January 1992  
**Description:** Front extension to form classroom and ancillary accommodation and extension of car park

**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:

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

Title	Plan Ref	Received On
-------	----------	-------------

Site Location Plan	n/a	8 March 2023
Site Plan as Existing & Proposed	2114.23/SP01 Rev B	9 November 2021
Section Through Path	MMD033.03.21.01	30 March 2021

Notes

The contractor shall comply with the current Building Regulations whether or not specifically stated on these drawings.

The contractor shall check and verify all building and site dimensions, levels and sewer invert levels at connection points before work starts.

Do not scale measurements. If in doubt - ask.


This drawing is copyright and may not be copied or given to a third party without written authority from CCO Building Consultancy.

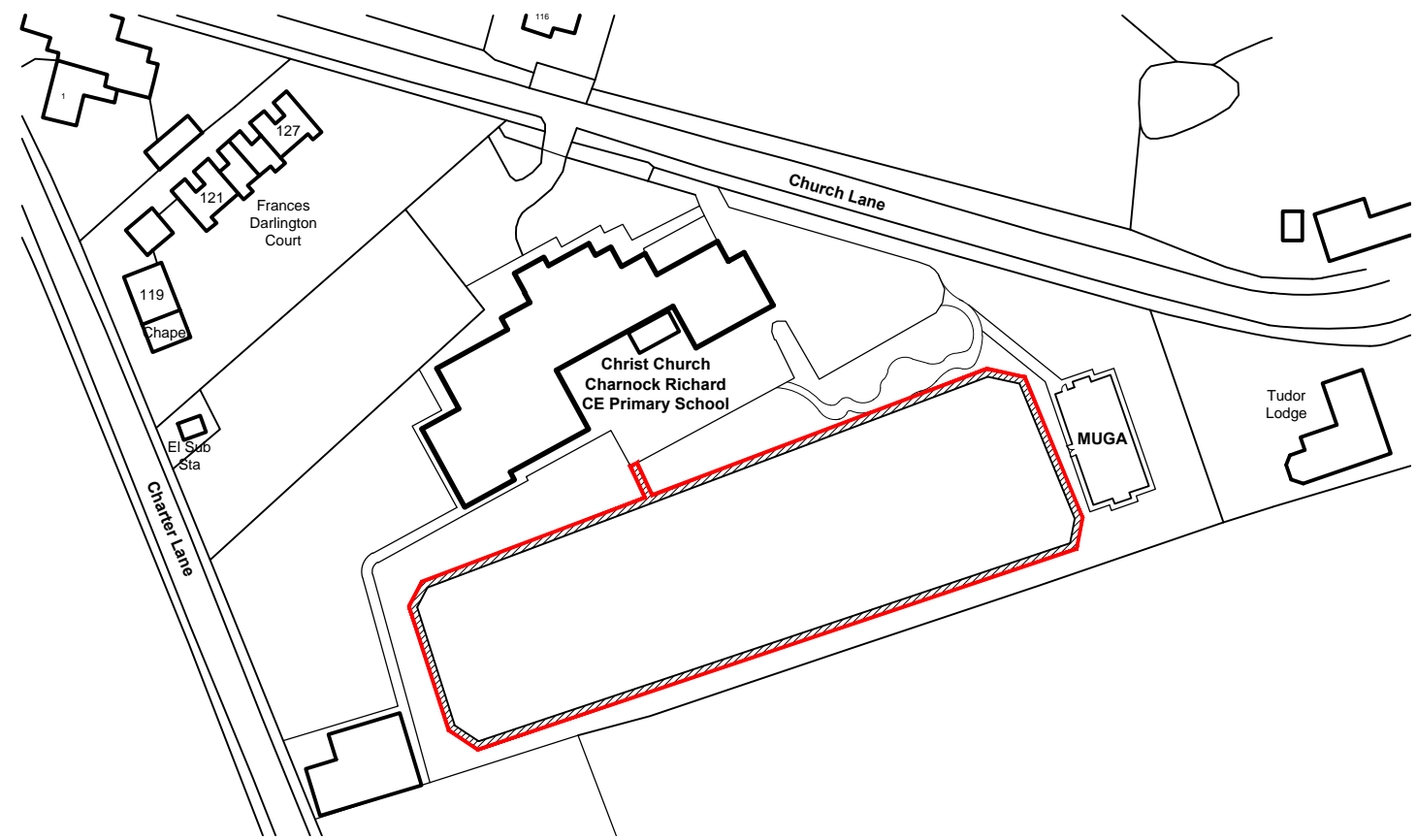
CDM Principles - Managing Hazards

Designers do not need to mention every hazard or assumption, as this can obscure significant issues, but they do need to point out significant hazards.

These are not necessarily those that result in the greatest risks but those that are:

A) Not likely to be obvious to a competent contractor or other designer.  
 B) Unusual, or  
 C) Likely to be difficult to manage effectively.

**Key:**  
 Area of Works



Site Location Plan (1:1250)

Agenda Page 159 Agenda Item 3i

Rev	Description	Date
-	-	-
Client		
The Governors of Christ Church Charnock Richard Primary School		
Project		
Installation of Daily Mile Track		
Drawing Title		
Site Location Plan		
Status	Planning	
Project No.	DWG No.	Rev
2114.23	SLP	
Date	Scale	Drawn
Mar 2023	1:1250 @ A4	SB



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# Development Control Committee Meeting

28<sup>th</sup> March 2023



# Item 3i

21/00387/FULMAJ

Christ Church Charnock Richard C Of E Primary School  
Church Lane Charnock Richard

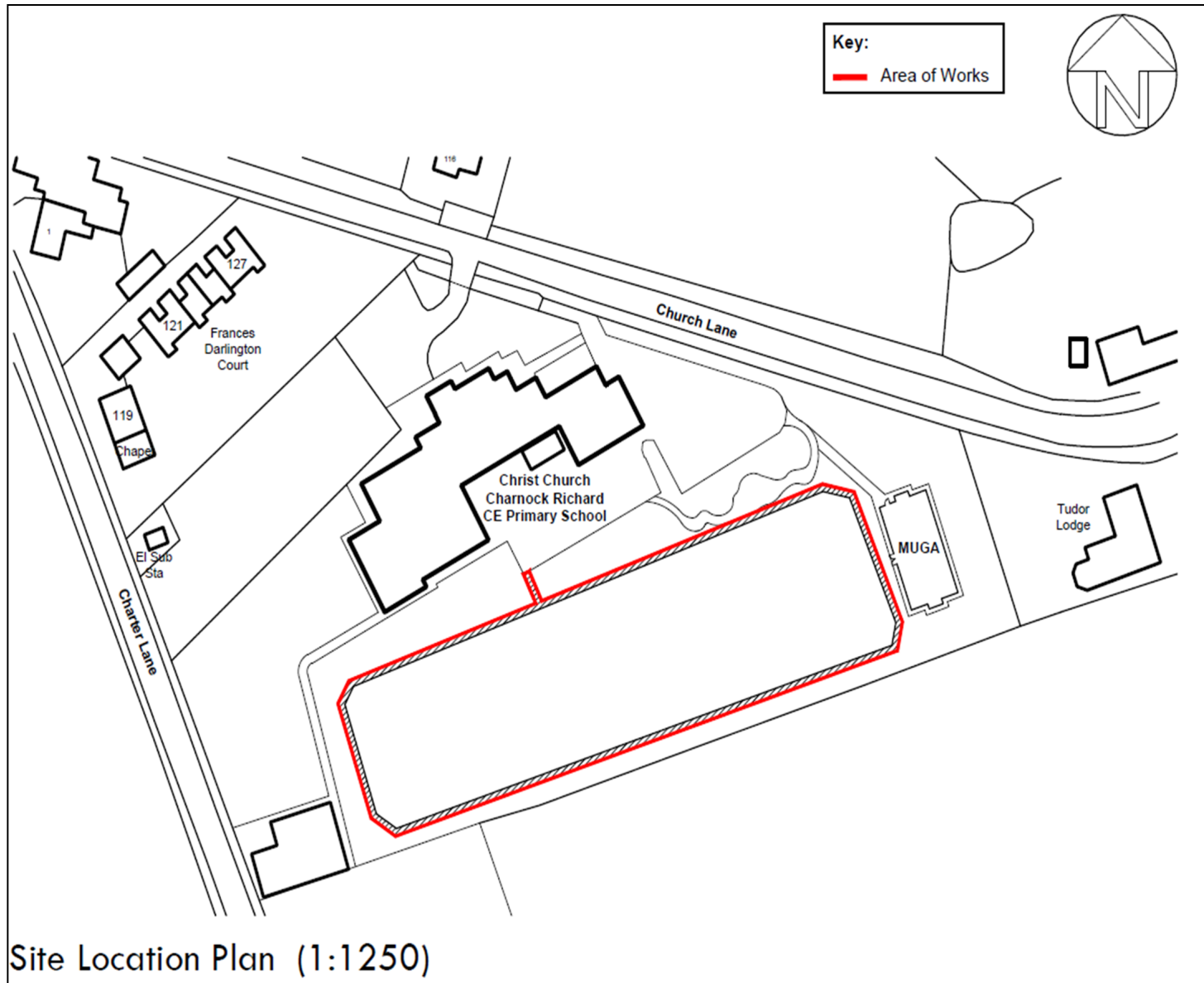
Installation of running track (retrospective)

# Aerial photograph



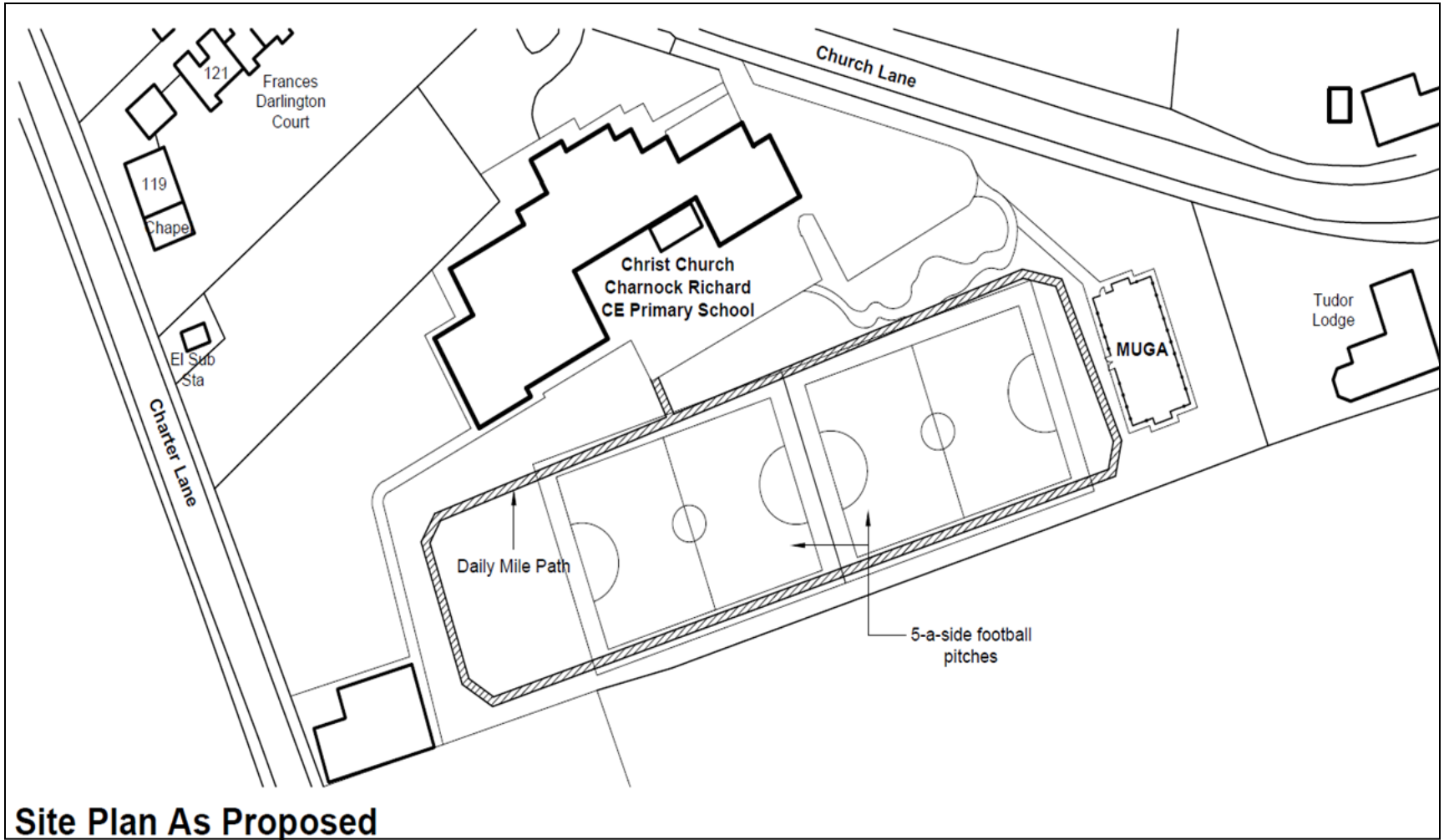


# Location Plan

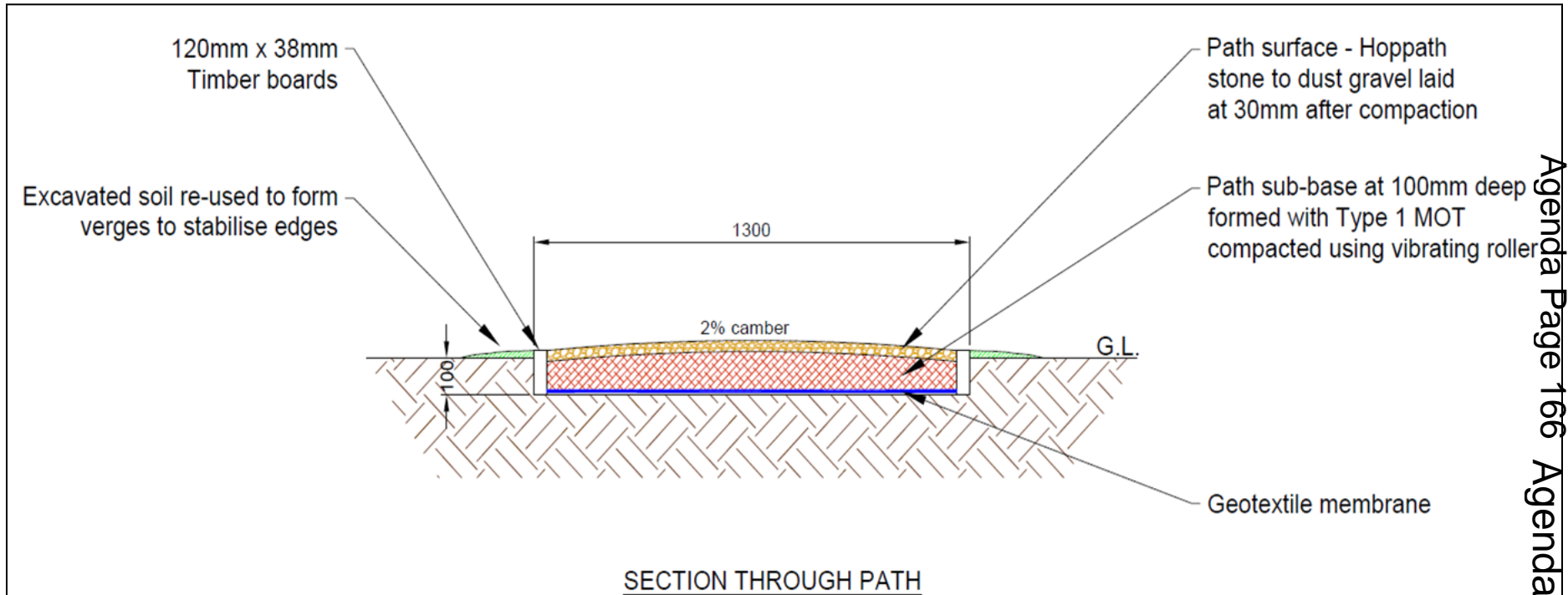




# Track Layout



# Cross Section



# Site photos





# Site photos



# Site photos





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C O M M I T T E E R E P O R T		
REPORT OF	MEETING	DATE
Director of Planning and Development	Planning Committee	28 March 2023

<b>ADDENDUM</b>
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**ITEM 3b - 23/00163/PIP – Land 85M East Of 48 Town Lane, Whittle-Le-Woods**

**The recommendation remains as per the original report**

- (4)No. further letters of objection have been received setting out the following issues:  
 Highway safety impacts  
 Presence of contaminated materials and gases and associated risks to human health and ecology.  
 Surface water drainage issues.  
 Unstable land issues  
 Presence of Japanese knotweed

**ITEM 3e - 22/01315/FUL – Mayfield, Blue Stone Lane, Mawdesley**

**The recommendation remains as per the original report**

**The following conditions are recommended:**

No.	Condition																								
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																								
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>2022-84-01.1</td> <td>23 December 2023</td> </tr> <tr> <td>Proposed Block Plan</td> <td>2022-84-02 Rev.B</td> <td>16 February 2023</td> </tr> <tr> <td>House Type 1 - Proposed Floor Plans</td> <td>2022-84-03.1 Rev.A</td> <td>08 February 2023</td> </tr> <tr> <td>House Type 1 - Proposed Elevations</td> <td>2022-84-03.2 Rev.A</td> <td>08 February 2023</td> </tr> <tr> <td>House Type 2 - Proposed Floor Plans</td> <td>2022-84-04.1 Rev.A</td> <td>08 February 2023</td> </tr> <tr> <td>House Type 2 - Proposed Elevations</td> <td>2022-84-04.2 Rev.A</td> <td>08 February 2023</td> </tr> <tr> <td>Proposed Garage (House Type 1)</td> <td>2022-84-05.1 Rev.A</td> <td>08 February 2023</td> </tr> </tbody> </table>	Title	Drawing Reference	Received date	Location Plan	2022-84-01.1	23 December 2023	Proposed Block Plan	2022-84-02 Rev.B	16 February 2023	House Type 1 - Proposed Floor Plans	2022-84-03.1 Rev.A	08 February 2023	House Type 1 - Proposed Elevations	2022-84-03.2 Rev.A	08 February 2023	House Type 2 - Proposed Floor Plans	2022-84-04.1 Rev.A	08 February 2023	House Type 2 - Proposed Elevations	2022-84-04.2 Rev.A	08 February 2023	Proposed Garage (House Type 1)	2022-84-05.1 Rev.A	08 February 2023
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Proposed Garage (House Type 1)	2022-84-05.1 Rev.A	08 February 2023																							

	Proposed Gatehouse	2022-84-05.3 Rev.A	16 February 2023
	Reason: For the avoidance of doubt and in the interests of proper planning		
3.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>		
4.	<p>No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details.</p> <p>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>		
5.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted, full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>		
6.	<p>No works to the Gatehouse identified on drawing 2022-84-02 Rev.B shall take place until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.</p> <ul style="list-style-type: none"> <li>a) Risk assessment of potentially damaging construction activities.</li> <li>b) Identification of "biodiversity protection zones".</li> <li>c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).</li> <li>d) The location and timing of sensitive works to avoid harm to biodiversity features.</li> <li>e) The times during construction when specialist ecologists need to be present on site to oversee works.</li> <li>f) Responsible persons and lines of communication.</li> <li>g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.</li> <li>h) Use of protective fences, exclusion barriers and warning signs.</li> </ul> <p>The approved CEMP shall be adhered to and implemented throughout the works to the Gatehouse strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.</p> <p>Reason: Due to the potential for the existing building to support bats.</p>		
7.	<p>A scheme for the landscaping of the development and biodiversity enhancement measures shall be submitted prior to the construction of the superstructure of any of the dwellings hereby permitted. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail bird and bat box provision, any changes of</p>		

	<p>ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</p>
<p>8.</p>	<p>No removal of or works to any hedgerows, trees or shrubs or works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.</p> <p>Reason: Nesting birds are a protected species.</p>
<p>9.</p>	<p>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:</p> <ul style="list-style-type: none"> <li>(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;</li> <li>(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);</li> <li>(iii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;</li> <li>(iv) Incorporate mitigation measures to manage the risk of sewer surcharge where applicable; and</li> <li>(v) Foul and surface water shall drain on separate systems.</li> </ul> <p>The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.</p> <p>Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.</p> <p>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.</p>
<p>10.</p>	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.</p>

	Reason: In the interests of highway safety and to prevent flooding.
11.	<p>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 plan and the vehicular turning space shall be laid out and be available for use prior to first occupation and a suitable turning area is to be maintained thereafter.</p> <p>Reasons: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.</p>
12.	<p>The dropped crossing connecting the site access with the highway shall be constructed prior to commencement of development.</p> <p>Reasons: In order to enable all construction and end user traffic to enter and leave the premises in a safe manner without causing a hazard to other road users or damage to the existing highway.</p>
13.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015, or any subsequent Orders or statutory provision re-enacting the provisions of the Order, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reasons: To allow for the effective use of the parking areas.</p>
14.	<p>Before the accesses are used for vehicular purposes, that part of the access extending from the highway boundary for a minimum distance of 5m into the site shall be appropriately paved in tarmacadam, concrete, block pavements, or other approved materials.</p> <p>Reasons: To prevent loose surface material from being carried on to the public highway thus causing a potential source of danger to other road users.</p>
15.	<p>Prior to the commencement of development a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMP shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> <li>• The parking of vehicles of site operatives and visitors;</li> <li>• Loading and unloading of plant and materials used in the construction of the development;</li> <li>• Storage of such plant and materials;</li> <li>• Wheel washing facilities;</li> <li>• Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.</li> </ul> <p>Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</p>

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**ITEM 3g - 22/01320/FUL – Land Adjacent To 715 Preston Road, Preston Road, Clayton-Le-Woods**

**The recommendation remains as per the original report**

**The following conditions are recommended:**

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	3332-001	28 December 2022
Elevations and Proposed Block Plan	3332-002A	28 December 2022

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

3. Prior to their installation, details 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: To ensure that the materials used are visually appropriate to the locality.*

4. Prior to occupation, a "lighting design strategy for biodiversity" for areas to be lit shall be submitted to and approved in writing by the local planning authority. The strategy shall:

- identify those areas/features on site that are particularly sensitive for bats and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
- show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

*Reason: The riparian corridor is likely to be used by bats for foraging and commuting.*

5. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following.

- Risk assessment of potentially damaging construction activities.
- Identification of "biodiversity protection zones".
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
- The location and timing of sensitive works to avoid harm to biodiversity features.
- The times during construction when specialist ecologists need to be present on site to oversee works.

- f) Responsible persons and lines of communication.
- g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
- h) Use of protective fences, exclusion barriers and warning signs.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the local planning authority.

*Reason: the BHS and riparian corridor will require protecting during any construction works*

6. Prior to the commencement of development, a Biodiversity Enhancement Scheme shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

Identify a biodiversity buffer zone between the site and the adjacent Biological Heritage Site (BHS) with a minimum 5m gap between rear property boundaries and the edge of the BHS

- Demonstrate a net gain in the biodiversity value of the site post development
- Provide full details of habitats to be enhanced and habitats to be created including habitat type, area and target condition
- Provide full details of proposed species to be planted or introduced by seed to the site, particularly with regard to the biodiversity buffer zone
- Provide details on the methodology to create and establish the proposed habitats and enhance the existing habitats
- Provide a bird and bat box plan
- Provide details of mechanisms to monitor and remediate if necessary the success of the plan

The works shall be carried out strictly in accordance with the approved details prior to the first occupation of any dwelling hereby approved.

*Reason: To ensure the scheme promotes habitat enhancement.*

7. During the construction period, all trees to be retained shall be protected in accordance with the details contained in the Tree Protection Plan and Arboricultural Method Statement produced by Treestyle Consultancy Ltd received 28 December 2022 and in all other cases in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees to be retained.*

8. A scheme for the landscaping of the development and biodiversity enhancement measures shall be submitted prior to the construction of the superstructure of any of the dwellings hereby permitted. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail bird and bat box provision, any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

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

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

9. Prior to the construction of the superstructure of any of the dwellings hereby permitted, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.*

10. 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.*

11. 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.

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.*

12. No dwelling shall be occupied until the estate street affording access to the development has been completed in accordance with the approved layout.

*Reason: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.*

13. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the local planning authority. The streets shall thereafter

be maintained in accordance with the approved management and maintenance details until such time as a private management and maintenance company has been established.

*Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.*

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.

*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.*

15. No part of the development hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.

*Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

16. Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

*Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials thus creating a potential hazard to road users.*

17. No development shall take place, until a Construction and Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The CTMP shall include and specify the provisions to be made for the following:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;
- Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made)
- Routes to be used by vehicles carrying plant and materials to and from the site;
- Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties.
- Hours of on site operations.

Reasons: to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

18. The integral garages shall be kept freely available for the parking of cars and shall not be converted to living accommodation. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) or any order amending or revoking and re-enacting that order.

*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.*





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