

## Planning Committee

Tuesday, 19th December 2023, 6.30 pm

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

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

<b>Agenda No</b>	<b>Item</b>	
<b>3</b>	<b>Planning applications to be determined</b>	
	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 <a href="#">website</a> .	
<b>3a)</b>	<b>23/00530/OUTMAJ - Chorley Rugby Union Club, Chancery Road, Astley Village</b>	(Pages 3 - 26)
<b>3b)</b>	<b>22/00631/FULMAJ - Land Adjacent Rossendale Drive, Adlington</b>	(Pages 27 - 64)
<b>3c)</b>	<b>23/00712/FUL - Head O'th Marsh Farm, Sandy Lane, Brindle</b>	(Pages 65 - 82)
<b>3d)</b>	<b>23/00713/LBC - Head O'th Marsh Farm, Sandy Lane, Brindle</b>	(Pages 83 - 90)
<b>3e)</b>	<b>23/00749/REM - Eccleston Equestrian Centre, Ulnes Walton Lane, Ulnes Walton</b>	(Pages 91 - 98)
<b>3f)</b>	<b>23/00811/PIP - Land On The South Side Of Town Lane, Whittle-Le-Woods</b>	(Pages 99 - 106)

Chris Sinnott  
Chief Executive

Electronic agendas sent to Members of the Planning Committee

If you need this information in a different format, such as larger print or translation, please get in touch on 515151 or [chorley.gov.uk](http://chorley.gov.uk)

This page is intentionally left blank

**APPLICATION REPORT – 23/00530/OUTMAJ**

**Validation Date: 22 June 2023**

**Ward: Euxton**

**Type of Application: Major Outline Planning**

**Proposal: Outline application for the erection of up to 16 no. dwellings, with all matters reserved except for access**

**Location: Chorley Rugby Union Club Chancery Road Astley Village Chorley PR7 1XP**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr G Brown Chorley Community Trust**

**Agent: Mr Richard Elliott MacMarshalls Ltd**

**Consultation expiry: 16 August 2023**

**Decision due by: 20 December 2023**

---

**UPDATE REPORT**

1. The recommendation remains to approve outline planning permission subject to conditions and a section 106 agreement.
2. Members will recall that this application was deferred at the Planning Committee meeting held on 05 December 2023 to allow time for Members to visit the site and to obtain clarification from Lancashire County Council in respect of highway safety matters. The original committee report from 05 December 2023 follows on below and has been updated to reflect the information detailed on the addendum relating to the representation received from the Parish Council and suggested conditions.

---

**RECOMMENDATION**

1. It is recommended that outline planning permission be approved subject to conditions and a section 106 agreement.

**SITE DESCRIPTION**

2. The application site comprises an open area of grassland that has previously been used as part of a golf driving range. There is a band of protected trees to with west of the site adjacent to West Way, whilst there are individual protected trees to the northern and eastern boundaries. The land is currently unused and the context of the site has altered significantly since it was last used as a golf driving range in response to a series of planning applications for the redevelopment of rugby club site to provide a new club houses, pitches and associated facilities enabled through the development of 50 dwellings.
3. The development progressed and the dwellings were developed, however, the scheme was amended most recently through planning permission 18/00108/FULMAJ, which reduced the

size of the artificial grass pitch and left an area of land that was no longer specified for any specific purpose and is now the subject of this application.

4. The residential development occupies the northern portion of the wider site and comprises detached dwellings of a modern design. The rugby club facilities occupy the southern portion of the site and currently comprise a clubhouse with parking area and a grass pitch. Both elements are accessed from Chancery Road. The application site is positioned between the rugby club facilities and residential development and lies to the west of the wider site, adjacent to West Way.
5. The site is located in the core settlement area of Chorley and is allocated for Housing under policy HS1.9 and sport and recreational facilities under policy HW2 of the Chorley Local Plan 2012-2026.

#### **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. This application seeks outline planning permission for the erection of up to 16 no. dwellings, with all matters reserved except for access. It is proposed that vehicular access is taken from West Way to the west of the site, whilst it is proposed that a pedestrian and cycle link would provide access to Chancery Fields and Chancery Road to the east.

#### **REPRESENTATIONS**

7. Representations in objection have been provided from 22 addresses, all of whom are residents of the recent housing development at Chancery Fields. These raise the following issues:
  - Loss of privacy to residents
  - Noise and disturbance during construction
  - Impact on highway safety and capacity
  - This build is purely based on money / financial gain
  - The rugby club site is in poor condition
  - Lack of detail in relations to dwellings, the footpath, fencing, lighting
  - The development would be too high density
  - The proposed path could result in increase crime and antisocial behaviour.
  - No capacity in the area for more dwellings
  - Loss of wildlife and trees.
  - The site should be left as a green space
  - Drainage impacts
  - There are parking issues associated with the existing rugby club site that need to be addressed.
  - Anti social behaviour from the Rugby Club site

#### **CONSULTATIONS**

8. Euxton Parish Council: objects to the loss of sports (recreation) land.
9. Greater Manchester Ecology Unit: Have no objections. A Biodiversity Net Gain Assessment should be provided to demonstrate that the development can achieve a net gain in local biodiversity.
10. Lancashire County Council Highway Services: Do not have any objections and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
11. Waste & Contaminated Land: Due to the limited level of ground investigation carried out at the application site it is recommended that further ground investigations are required by condition.

12. Lead Local Flood Authority: No objection subject to conditions.
13. Sport England: Object to the application because it is not considered to accord with any of the Policy Exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.
14. United Utilities: No objection subject to conditions.
15. Lancashire County Council (Education): An education contribution is not required at this stage in regards to this development.

## **PLANNING CONSIDERATIONS**

### Principle of development

16. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
17. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026.
18. The proposal is in Chorley Town, which Core Strategy Policy 1 defines as a Key Service Centre, where growth and investment, including housing growth, should be concentrated.
19. The proposal is located within the settlement area of Chorley, as defined by policy V2 of the Local Plan. 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, subject to material planning considerations and the other Policies and Proposals within this Plan.
20. The proposal is located within Local Plan housing allocation ref. HS1.9 Chancery Way/West Way, which is also identified as land for sport and recreational facilities under policy HW2. Whilst there is no masterplan for the development of the site or indication of how the site should be divided between the uses it is noted that HS1.9 was allocated in the Chorley Local Plan 2012 – 2026 for 50 dwellings. A total of 50 dwellings have been built on the allocation and the site is identified as 'complete' in the Council's annual Housing Monitoring Report, having been completed during the 2017/18 monitoring period. The total site area provided for housing through the Local plan policy HS1.9 was 1.9ha, which has been exceeded through the delivery of the 50 dwellings.
21. The application site had planning permission for an artificial grass pitch (AGP) as part of planning application ref:13/00082/FULMAJ, which was varied by S73 application ref:14/00429/FULMAJ. The AGP was never built and a subsequent application, ref:18/00108/FULMJ, was permitted, which reduced the size of the AGP and relocated it further to the south of the site. This was in response to the physical constraint provided by the presence of a high pressure water main and easement, which would have divided the AGP in two. In addition to this the development had resulted in a funding deficit for the Rugby Club and the development had stalled, therefore, the reduced scale of AGP and revised facilities were sought on the basis that this would enable the development to achieve practical completion to point at which it would be usable.
22. This alteration to the development resulted in an area of land, between the approved AGP and the dwellings that had been built to the north, with no identified purpose. This land is the subject of the current application.
23. The application site was last used as part of a golf driving range, which falls within the category of outdoor sport and recreation. The amount of residential development anticipated by policy HS1.9 has been delivered, and the land remains as a surplus part of the rugby club redevelopment land. As the site is allocated under policy HW2 – Existing Sport &

Recreational Facilities, then any redevelopment of the site must be considered against this policy. Policy HW2 of the Local Plan seeks to protect land currently or last used as open space unless alternative provision is made under criterion a) or all of criteria b) to e) are satisfied. The proposal is therefore assessed against these criteria as set out below.

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

24. No alternative facilities have been proposed.

*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*

25. The site is an existing sport and recreational facility. Outdoor sports facilities and playing pitches are assessed through the Central Lancashire Playing Pitch Assessment Strategy, which does not identify deficiencies on a settlement or ward basis as it is not considered appropriate. It assesses provision on a Borough basis and identifies that there is a deficit of provision in all three Boroughs. The level of deficit identified for each Borough does not necessarily equate to new provision being required and can be addressed through improvements to existing playing pitches.

26. The Central Lancashire Strategy & Action Plan builds on the Assessment Report to provide a framework for the maintenance and improvement of existing outdoor sports pitches and ancillary facilities. It identifies that rugby union senior pitches in Chorley are at capacity and mini pitches are at capacity.

27. The Chorley Open Space Sports and Recreation Strategy 2020 - 2026 states that 'The existing position for all pitch sports is, either demand is currently being met, or there is a shortfall.' Chorley Rugby Union Club is identified in the Strategy under 'what we need to do' with a strategy to 're-establish two senior grass rugby union pitches with appropriate ancillary provision'.

28. Although the development of the site would technically contribute to the existing deficit the loss of this specific site within the wider context of the redevelopment at the rugby club is unlikely to result in a deficit in rugby union provision because planning permission has already been granted for rugby facilities within the wider Rugby Club site, which does not include the application site and which would be unaffected by the proposal to build 16 dwellings. The applicant states that the land comprising the application site is surplus to the requirements of Chorley Community Trust in this respect, and is also not the correct size and shape for a playing field, and that the site is fallow at present and will continue to be so as it has no purpose and no long term reasonable prospect of this land ever being used for sports.

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

29. This site was not included in the open space study as it is a playing pitch.

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

30. The applicant states that the application site is surplus to the requirements of Chorley Community Trust and is also not the correct size and shape for a playing field. Whilst the application site formed part of the original full size AGP, a smaller AGP has since been granted permission under 18/00108/FULMAJ and the application site is no longer required for the purpose of delivering a full size AGP.

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

31. The site is an open grassed area and is not visually prominent from public vantage points. Other than the trees to the periphery the site is somewhat featureless, and it is considered that the trees would be capable of being retained and protected as part of any future development, other than in the position of the proposed access. On this basis it is not considered that the site makes a significant contribution to the character of the area in terms of visual amenity.
32. Based upon the above it is considered that the proposal meets the necessary criteria of policy HW2.
33. Although the development is considered to comply with policy HW2 in terms of the release of land that is defined as existing sport and recreational facilities in the Chorley Local Plan 2012 – 2026 it is noted that Sport England objects to the application because it does not consider the development to accord with any of the Policy Exceptions to Sport England's Playing Fields Policy or with Paragraph 99 of the NPPF.
34. Sport England applies its policy to any land in use as playing field or last used as playing field and which remains undeveloped, irrespective of whether that use ceased more than five years ago. They consider that lack of use should not be seen as necessarily indicating an absence of need for playing fields in the locality, as such land can retain the potential to provide playing pitches to meet current or future needs. It should also be noted that the playing field does not have to be available for community use to fall within the definition of playing field. Neither the DMPO, NPPF or Sport England Policy make any distinction between private and publicly owned or used nor is there a positive obligation (under planning law) for any playing field to be actively used as such. Both policies are applied by Sport England equally, irrespective of the ownership.
35. Sport England note that the supporting information again suggests that the applicant, Chorley Community Trust requires the proposed residential development to help facilitate works to the pavilion building, car park and playing field. As previously explained, Sport England does not accept enabling development as a justification for the loss of playing field. Enabling development is not an exception set out in paragraph 99 of the National Planning Policy Framework or Sport England's Playing Fields Policy. Therefore, the financial situation of the Trust is not one Sport England considers in the assessment of planning applications as it is not a planning matter and falls outside of our remit.
36. As set out in the assessment above the site was previously part of a golf driving range, which falls within the category of outdoor sport and recreation, and was the last use of the land. The use of the land has since ceased and planning permission granted for the redevelopment of the rugby club facilities, which has left the application site as surplus to this development. Given the last use as part of the driving range it is considered that the lawful use under class F.2 of Town and Country Planning (Use Classes) Order 1987 (as amended) is for outdoor sport or recreation. As such the site could be used for a range of different activities, not only playing pitches, and can therefore be assessed against the provisions of the development plan under policy HW2 of the Chorley Local Plan 2012-2026 as set out above.

#### Other material considerations

37. 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
38. 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).
39. Paragraph 11 of the Framework sets out a presumption in favour of sustainable development and states that 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 [subject to footnote 7], granting permission unless:
    - i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
    - ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.
40. Footnote 7 sets out that this includes for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.
41. It is therefore necessary to establish whether Chorley has a five year housing land supply (5YHLS) or not to determine whether Paragraph 11(d) of the NPPF 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.
42. 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.
43. 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.
44. The Statement of Common Ground (SoCG) sets out the housing requirement to be consulted on in the Central Lancashire Local Plan and is informed by the Central Lancashire Housing Need Assessment. It has been signed by the portfolio holders responsible for the Local Plan across the three Councils for Chorley, Preston and South Ribble following endorsement by the Joint Advisory Committee on 25th July 2022.
45. Chorley Council adopted the SoCG as a material consideration for use in decision making at the General Purposed Committee on 7th September 2022. The weight to be attached to the SOCG in making decisions on planning proposals is for the decision maker to consider.
46. The SoCG sets out a housing requirement of 334 for Chorley for the first five year period of the Local Plan (2023-2028). The housing supply against this requirement is 5.4 years. 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.

47. 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.
48. In considering the provision of 16 dwellings in the context of an under supply of housing this is a clear benefit to which significant weight must be attached.

#### Affordable housing

49. Affordable housing Policy 7 of the Central Lancashire Core Strategy seeks to ensure on-site affordable housing provision of 30% within urban areas and of 35% in rural areas.
50. The Planning Statement accompanying the application states that the applicant is committed to providing 30% affordable housing which is in line with the Core Strategy requirement and could be secured through a Section 106 legal agreement.
51. The provision of affordable housing would help towards meeting a significant shortfall in the supply of such homes across the Borough and represents a clear benefit to which significant weight must be attached.

#### Design and impact on the character of the area

52. The proposed development would be located to the south of an existing residential housing estate, whilst the wider area is characterised by suburban residential development. This provides a suitable context within which a housing development could be designed. There is adequate space to develop 16 dwellings that respond to the prevailing character and density of the area. The site itself is somewhat featureless other than the protected trees to the northern and eastern boundaries, whilst the band of trees to the west provides a soft buffer between the site and highway at West Way. It is considered that the trees to the northern and eastern boundaries can be retained and protected within any future development of the site, which would be desirable in relation to the character of the area. The buffer to the west is to be retained for the most part, other than where the access would be developed. This would result in the loss of trees and shrubs and would open up the site to the highway. Although this would have some visual impact on West Way, there is no footpath along West Way and, therefore, it is not a particularly sensitive visual receptor, whilst the provision of a junction to a residential estate from this distributor road would not appear incongruous in the context of a suburban location. On this basis it is considered that a development of 16 dwellings with access from West Way could be designed without any significantly detrimental impact on the surrounding area in line with policy BNE1 of the Chorley Local Plan.

#### Amenity

53. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
54. The application proposes up to 16 dwellings on land adjacent to existing residential properties to north at Chancery Fields. The properties on Chancery Fields have rear elevations and rear gardens backing onto the application site. Other than 31 Chancery Fields, which has a side elevation adjacent to the site. As the application is made in outline a reserved matters application would need to ensure that the amenity afforded to all neighbouring residential properties is safeguarded from adverse impacts such as overlooking, overbearing and loss of light by complying with the Council's interface distances and other design criteria. In addition, any proposal would need to ensure acceptable living conditions for future occupiers of the development. It is considered that the

shape and size of the site are such that an acceptable scheme can be achieved in consideration of constraints.

55. Any impacts during the construction phase would be temporary and suitable mitigation measures could be imposed by a planning condition, through a Construction Environmental Management Plan.

#### Highway safety and access

56. The proposed development is situated within the settlement of Chorley Town close to its north-western boundary. The proposed development is east of West Way, which is part of the adopted highway and has a classification of "B Road". West Way has a speed limit of 40mph and no existing pedestrian footways within the immediate vicinity of the proposals.
57. East of the proposed development is the residential road of Chancery Fields, which is currently unadopted and is an unclassified road with a speed limit of 30mph. Chancery Fields has pedestrian footways on either side for its majority and links to Chancery Road, which is part of the adopted highway network. There are existing public transport services available on Chancery Road in the form of bus stops to the north and south of the junction of Chancery Fields and Chancery Road.
58. The existing bus stops to the north on Chancery Road are simple flag post bus stops, the bus stops to the south on Chancery Road have flag posts and existing bus shelters. Neither the northern nor southern bus stops have quality bus stop kerbing, which means they do not promote inclusive mobility.
59. The proposed development is an outline application for up to 16 residential dwellings, with all matters reserved except for access. It is proposed to provide vehicular access to the proposed development via West Way and pedestrian and cycle access via Chancery Fields.
60. LCC Highway Services have assessed the recorded collisions within the vicinity of the proposed development on 12th November 2023, using Crashmap and LCC's internal mapping system "Mapzone". A total of 2 collisions were recorded in the vicinity of the proposals within the 5-year recorded period. A collision was recorded approximately 5 years and 6 months ago, the details of which were checked and have been included for completeness. These collisions were recorded at the junction of West Way and Washington Lane north of the proposed site access.
61. The collisions within the 5-year period were multi vehicle collisions resulting in 1 slight category collision and 1 serious category collision. The recorded slight collision was a 3-car collision caused by a rear end shunt forcing one vehicle into a vehicle in the oncoming direction. The recorded severe collision was a 2-car collision caused by a driver failing to stop whilst the car in front had stopped due to a vehicle waiting to turn right onto Washington Lane.
62. The collision that is no longer within the 5-year period resulted in a slight category collision. The cause of this collision was deemed as due to a medical incident according to the official report and not due to existing highway conditions.
63. Having assessed the recorded collisions within the vicinity of the proposals it is LCC Highway Services opinion that whilst any collision is unfortunate, the proposed site access onto West Way would not cause an unacceptable risk to highway safety. It is LCC Highway Services opinion that the junction of West Way and Washington Lane would generate more vehicle manoeuvres than that of the proposed development. Therefore, it is LCC Highway Services opinion that a dedicated right turn lane into the development.
64. LCC Highway Services are of the opinion that the proposed access onto West Way is acceptable. The proposed red edge boundary has been amended to the back of the adopted highway on West Way. This new site access will need to be constructed via a section 278 agreement.

65. The proposed site access will require the formation of a kerbed junction within the verge of West Way, which is part of the adopted highway. It is LCC Highway Services opinion that the required visibility splays for the new junction onto West Way are fully achievable across the adopted highway. The visibility splays required are based on the speed limit of West Way which is 40mph, the splays are 2.4m x 81m in both directions.
66. The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development.
67. The proposed shared pedestrian and cycle access onto Chancery Fields is in LCC Highways opinion is acceptable. As mentioned in the introduction of this report Chancery Fields is not a part of the adopted highway and as such any connection to it and rights of way will need to be agreed with the relevant 3rd party landowner. For the first 5 metres (as measured from the boundary of Chancery Fields) of the proposed pedestrian and cycle link, it is proposed to narrow the link to 2 metres in width. As a private gated access is proposed LCC Highway Services can support this localised narrowing as cyclists would need to dismount to navigate the private gate. If this private gate is not implemented or removed from the proposals, then LCC Highway Services would expect the shared pedestrian and cycle link to be a continuous width of 3 metres.
68. LCC Highway Services have assessed the proposed developments trip generation in both the AM and PM peak periods using LCC Highways internal North West Preston trip rates. The North West Preston trip rates are robust and predict total vehicle movements in the AM peak of 10 vehicles and 11 vehicles in the PM peak assuming the number of dwellings is 16. LCC Highway Services are of the opinion that the trips generated by the proposals are acceptable and would not have an unacceptable impact on highway safety or capacity.
69. As mentioned previously neither of the existing bus stops on Chancery Road have quality bus stop kerbing and thus do not promote inclusive mobility. It is an obligation on all developments as set out in the National Planning Policy Framework (NPPF) 2021 to promote sustainable development. For the development to achieve this in terms of highways, it is requested that the proposed development provides upgrades to the existing bus stops south of the junction of Chancery Fields and Chancery Road. These upgrades would take the form of the introduction of quality bus stop kerbing for both stops and would therefore make travelling by sustainable means attractive and thus promote sustainable development. These upgrades would need to be carried out via a section 278 agreement.

#### Ecology

70. Core Strategy Policy 22 covers biodiversity and geodiversity and reflects the Framework in seeking to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area, through the following measures:
- i. Promoting the conservation and enhancement of biological diversity, having particular regard to the favourable condition, restoration and re-establishment of priority habitats and species populations;
  - ii. Seeking opportunities to conserve, enhance and expand ecological networks;
  - iii. Safeguarding geological assets that are of strategic and local importance.
71. Policy BNE9 of the Local Plan covers Biodiversity and Nature Conservation and states:

*In Chorley, Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced:*

*Priority will be given to:*

*Protecting and safeguarding all designated sites of international, national, regional, county and local level importance including all Ramsar sites, Special Protection Areas, Special Areas of Conservation, national nature reserves, sites of special scientific interest and*

*biological heritage sites, geological heritage sites, local nature reserves and wildlife corridors together with any ecological network approved by the Council;*

*Protecting, safeguarding and enhancing habitats for European, nationally and locally important species;*

*The ecology of the site and the surrounding area (safeguarding existing habitats/features such as but not exclusive to trees, hedgerows, ponds and streams), unless justified otherwise;*

*When considering applications for planning permission, protecting, conserving, restoring and enhancing Chorley's ecological network and providing links to the network from and/or through the proposed development site.*

*In addition development must adhere to the provisions set out below:*

*The production of a net gain in biodiversity where possible by designing in wildlife and by ensuring that any adverse impacts are avoided or if unavoidable are reduced or appropriately mitigated and/or compensated;*

*The provision of opportunities for habitats and species to adapt to climate change;*

*The support and encouragement of enhancements which contribute to habitat restoration;*

*Where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs;*

*In exceptional cases where the need for development in that location is considered to significantly outweigh the impact on the natural environment, appropriate and proportionate mitigation measures or as a last resort compensatory habitat creation and/or restoration will be required through planning conditions and/or planning obligations.*

*The following definition of what constitutes damage to natural environmental assets will be used in assessing applications potentially impacting upon assets:*

*Loss of the undeveloped open character of a part, parts or all of the ecological network;*

*Reducing the width or causing direct or indirect severance of the ecological network or any part of it;*

*Restricting the potential for lateral movement of wildlife;*

*Causing the degradation of the ecological functions of the ecological network or any part of it;*

*Directly or indirectly damaging or severing links between green spaces, wildlife corridors and the open countryside; and*

*Impeding links to ecological networks recognised by neighbouring planning authorities.*

*Significant adverse effect on the interest features of a designated nature conservation site.*

72. The application is supported by an ecology survey and assessment (ERAP (Consultant Ecologists) Ltd ref: 2021-386). These have been reviewed by the Council's ecology advisor (GMEU) who considers that this satisfies the requirements for information and analysis to be provided prior to determination of the application. The site is not designated for its nature conservation value, does not support notable habitats and is considered unlikely to support any substantive populations of protected or priority species. The applicant has set out that the site will be delivered to provide an opportunity to secure ecological enhancement for wildlife associated with residential development, and it is intended that the development will provide biodiversity net gain.
73. It is advised that, as part of any Reserved Matters applications for the future development of the site a Biodiversity Net Gain Assessment should be provided to demonstrate that the development can achieve a net gain in local biodiversity. It is also recommended that boundary trees should be retained and protected during the course of any development, although it must be noted that a section of tree belt to the west of the site would need to be removed in order to facilitate access. On the basis that a scheme to achieve a net gain in local biodiversity is provided it is considered that the development of the site could provide an opportunity to secure ecological enhancement for wildlife.

74. The application is therefore considered to comply with policy BNE9 of the Local Plan, policy 22 of the Core Strategy and paragraph 175 of the NPPF.

#### Trees

75. Policy BNE10 of the Local Plan relates to trees and states:

- a) *Development proposals which would result in the loss of trees and/or involve inappropriate works to trees which contribute positively to the character and appearance of a Conservation Area will not be permitted. The removal of such trees will only be permitted in exceptional circumstances and where consent is granted, replacement trees will be required to be planted.*
- b) *Proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted.*
- c) *Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows. Tree planting will be required as part of new development proposals and an associated maintenance scheme. Tree Preservation Orders will be used to protect trees of landscape or townscape significance.*

76. There are trees to the northern, eastern and western boundaries of the site. These are protected by tree preservation orders and contribute to the visual amenity of the area. The application is in outline and does not propose to remove any trees at present, whilst it is considered that the trees can be retained and protected within a development scheme give their position to the periphery. However, it is noted that a section of the tree belt to the west of the site would need to be removed in order to facilitate access. These trees are most visible from West Way, however, given that West Way does not have pedestrian pavements and is a suburban type distributor road it is not considered that the loss of a section of trees to provide access would have a significantly detrimental impact on the character of the area. Tree planting would be required as part of the detailed development proposals within a comprehensive landscaping plan. On this basis it is considered that the harm through the loss of the trees would be limited and that the development would comply with policy BNE10 subject to appropriate replacement planting.

#### Drainage and flood risk

77. A Flood Risk Assessment has been submitted with the application and reviewed by United Utilities and Lancashire County Council as Lead Local Flood Authority (LLFA). The LLFA are responsible for managing flood risk from surface water, groundwater or from ordinary watercourses.

78. The Planning Practice Guidance establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. The aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

79. The LLFA have no objection to the application subject to conditions requiring that development is carried out in accordance with the submitted Flood Risk Assessment and that details of a final surface water sustainable drainage strategy, construction surface water management plan, sustainable drainage system operation and maintenance manual and verification report of constructed sustainable drainage system are submitted to the local planning authority for consideration in consultation with the LLFA.

#### Public open space

80. A financial contribution is required from this development is as follows:

*Amenity Greenspace*

81. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.

82. There is currently a deficit of provision in Euxton in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 10 or more dwellings the required amenity greenspace should be provided on-site. The amount required is 0.028 hectares. A maintenance cost of £11,200 is also required for a 10 year period if private maintenance is not proposed.

*Provision for children/young people*

83. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.

84. There is currently a deficit of provision in Euxton 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.

*Parks and Gardens*

85. There is no requirement to provide a new park or garden on-site within this development.

86. There is no requirement to provide a new park or garden on-site within this development. There are no parks/gardens within the accessibility catchment (1,000m) of this site identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) therefore a contribution towards improving existing provision is not required.

*Natural and Semi-Natural Greenspace*

87. There is no requirement to provide new natural/semi natural greenspace on-site within this development.

88. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) therefore a contribution towards improving existing provision is not required.

*Allotments*

89. There is no requirement to provide allotment provision on site within this development.

90. The site is not within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site, a contribution towards new allotment provision is therefore not required from this development.

*Playing Pitches*

91. The Playing Pitch Strategy and Action Plan (December 2018) identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements, with borough-level detail provided in the Chorley Open Space, Sports and Recreation Strategy (OSSR) Action Plan 2020 to 2036. The amount required is £1,599 per dwelling.

92. The total financial contribution required from this development is as follows:

Amenity greenspace	= £11,200 (if private maintenance not proposed)
Equipped play area	= £2,144 (if private maintenance not proposed)
Parks/Gardens	= £0
Natural/semi-natural	= £0
Allotments	= £0

Playing Pitches	= £25,584
<b>Total</b>	<b>= £38,928</b>

93. It is recommended that this be secured through a Section 106 legal agreement.

#### Community Infrastructure Levy (CIL)

94. The proposal would be liable for CIL, however CIL liability is not calculated at outline application stage. It would be calculated at any Reserved Matters stage.

#### Planning balance

95. 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.
96. The adverse impacts of the development relate to the loss of trees to the west of the site, between the site and West Way. These trees form part of a belt of protected trees that provide a buffer between the land and West Way, as section of which would need to be removed to enable access. This would have some impact on biodiversity and some impact on the character of the area, although these impacts are considered to be limited in their level of harm as the impact on biodiversity can be off set through a suitable scheme to be considered at reserved matters stage and that West way is not a sensitive visual receptor, whilst the development of an access would not be incongruous in this location.
97. There would be some adverse impact through the loss of land identified for open space and recreation, however, this harm is limited as the land is surplus to the rugby club redevelopment, has not been identified for any specific purpose and the applicant has stated that the site is not the correct size and shape for a playing field, and there is no long term reasonable prospect of this land ever being used for sports.
98. In relation to the benefits of the proposed development the provision of 16 dwellings in the context of an under supply of housing this is a clear benefit to which significant weight must be attached.
99. The provision of affordable housing would help towards meeting a significant shortfall in the supply of such homes across the Borough and represents a clear benefit to which significant weight must also be attached.
100. The provision of new housing would support construction and supply chain jobs, places for the economically active to live, and increased local spend. These benefits have not been quantified and would apply to any housing development of this scale but are still considerable and should be afforded moderate weight. Some limited weight can be attached to the benefits of open space provision and improvement through an off-site contribution from the development of the site.
101. There are no adverse impacts of the proposed development that would significantly and demonstrably outweigh the significant social benefits associated with the proposed development when assessed against the Framework taken as a whole. The scheme therefore benefits from the presumption in favour of sustainable development, and as such it is recommended that Members be minded to approve the application.

#### Other matters

102. *This build is purely based on money / financial gain:* This not a material planning consideration. The proposed development is a market development and would not be delivered without a viable profit margin.
103. *The rugby club site is in poor condition:* This is not a matter that can be addressed through the assessment of this application.

104. *Lack of detail in relations to dwellings, the footpath, fencing, lighting:* The application is in outline only at this stage and these details would be provided at reserved matters stage and would be assessed as part of a further such application.
105. *The proposed path could result in increase crime and antisocial behaviour.* The applicant is proposing that the footpath and cycle path is gated and for residents only.
106. *No capacity in the area for more dwellings:* There is no maximum limit to the number of dwellings that can be provided within an area, and it is noted that there is currently an under supply of dwellings within the Borough.
107. *There are parking issues associated with the existing rugby club site that need to be addressed:* This is not a matter that can be addressed through the assessment of this application.
108. *Anti social behaviour from the Rugby Club site:* This is not a matter that can be addressed through the assessment of this application.

### CONCLUSION

109. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that if regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise. In this instance it is considered the proposal is considered to comply with the policies of the development plan. Notwithstanding this the tilted balance must be applied and the benefits of providing housing and affordable housing must be given significant weight. Given such circumstances and in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004 and the Framework, it is recommended that outline planning permission be approved.

### RELEVANT HISTORY OF THE SITE

- Ref:** 93/00081/FUL                    **Decision:** PERFPP    **Decision Date:** 30 March 1993  
**Description:** Use of land for car boot sales of 100 pitches Sundays 4.4.93 to 10.10.93 and Saturdays 1.5.93 to 25.9.93 inclusive for a period of one year
- Ref:** 92/00540/FUL                    **Decision:** PERFPP    **Decision Date:** 1 September 1992  
**Description:** Modification of condition no 3 on 9/91/572 to amend hours of opening to 10.00am to 4.00pm instead of 2.00pm to 8.00pm
- Ref:** 92/00352/FUL                    **Decision:** PERFPP    **Decision Date:** 9 June 1992  
**Description:** Use of land for Sunday market and other events
- Ref:** 91/00572/FULMAJ                **Decision:** PERFPP    **Decision Date:** 18 February 1992  
**Description:** Use of land for car boot/market on Thursdays
- Ref:** 89/00634/ADV                    **Decision:** PERFPP    **Decision Date:** 20 September 1989  
**Description:** Display of internally illuminated signs on building and access
- Ref:** 89/00067/FUL                    **Decision:** PERFPP    **Decision Date:** 27 February 1989  
**Description:** Alterations and provision of external boiler house
- Ref:** 88/00228/FULMAJ                **Decision:** WDN        **Decision Date:** 16 May 1988  
**Description:** Use of land for general market to operate on Saturdays commencing 7/5/88
- Ref:** 88/00679/FUL                    **Decision:** PERFPP    **Decision Date:** 18 October 1988  
**Description:** Use of land as a Golf Driving Range
- Ref:** 85/00179/ADV                    **Decision:** PERFPP    **Decision Date:** 2 April 1985  
**Description:** Display of illuminated signs across gable of club house



**Ref:** 81/00934/FUL      **Decision:** PERFPP      **Decision Date:** 1 December 1981  
**Description:** Club House

**Ref:** 80/00892/FUL      **Decision:** PERFPP      **Decision Date:** 20 October 1980  
**Description:** Use of land for recreational purposes (rugby pitches, car parking, changing pavilion, and new access to Chancery Road)

**Ref:** 13/00082/FULMAJ      **Decision:** PERFPP      **Decision Date:** 28 August 2013  
**Description:** Proposed erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including 8 x 15m floodlighting columns

**Ref:** 14/00429/FULMAJ      **Decision:** PERFPP      **Decision Date:** 28 January 2015  
**Description:** Section 73 application to vary condition no.5 (approved plans) of planning permission no. 13/00082/FULMAJ (which was for the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including floodlighting columns) to change the size and design of the clubhouse building and make alterations to the parking.

**Ref:** 14/01250/ADV      **Decision:** PERADV      **Decision Date:** 13 February 2015  
**Description:** Proposed erection of two signs and two flagpoles advertising future housing development. One of the signs (flanked by two flagpoles) is proposed on West Way and the other (with no flagpoles) is proposed on Chancery Road.

**Ref:** 15/00137/DIS      **Decision:** REDISZ      **Decision Date:** 17 September 2021  
**Description:** Application to discharge conditions 3 (carbon reduction statement), 6 (levels), 9 (lighting), 10 (landscaping), 12 (foul and surface water drainage), 15 (scheme of parking for contractors), 16 (hours of clubhouse), 19 (contamination report), 22 (Design Stage Assessment), 23 (cycle and motorcycle parking), 28 (grass pitch specification), 29 (artificial pitch specification), 30 (clubhouse noise attenuation) and 32 (clubhouse external materials) of planning permission ref: 14/00429/FULMAJ (which was for the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including 8 x 15m floodlighting columns).

**Ref:** 15/00164/ADV      **Decision:** PERADV      **Decision Date:** 29 April 2015  
**Description:** Proposed stacker board sign flanked by two flagpoles (advertising future housing development) at entrance to Rugby Club.

**Ref:** 15/00577/FULMAJ      **Decision:** PERFPP      **Decision Date:** 9 September 2015  
**Description:** Re-plan of 14 no. dwellings, including associated landscaping and parking (part of larger scheme of 50 dwellings previously approved under ref: 13/00082/FULMAJ and 14/00429/FULMAJ), to avoid water main that crosses the site.

**Ref:** 15/00667/MNMA      **Decision:** PEMNMZ      **Decision Date:** 10 August 2015  
**Description:** Application for a minor material amendment to change the external materials of the dwellings (due to supply issues) previously approved under ref: 14/00429/FULMAJ (which was for 50 dwellings and redevelopment of the rugby club).

**Ref:** 15/00742/MNMA      **Decision:** PEMNMZ      **Decision Date:** 21 August 2015  
**Description:** Application for a minor non-material amendment to planning permission ref: 13/00082/FULMAJ (which was for the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including floodlighting columns) to alter the design of the canopy of the 'Hatfield' house type previously approved.

**Ref:** 16/00550/MNMA      **Decision:** PEMMAZ      **Decision Date:** 22 July 2016  
**Description:** Minor non-material amendment to change the brick type (of dwellings) previously approved.

**Ref:** 17/00038/FULMAJ      **Decision:** PERFPP      **Decision Date:** 3 April 2017

**Description:** Section 73 application to vary condition 26 of permission ref: 14/00429/FULMAJ (which was for the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including floodlighting columns) to allow the phasing of the development to be changed - so that the pavilion/club house and car park shall be constructed prior to the occupation of the 40th dwelling and shall be completed prior to occupation of the 47th dwelling (as opposed to by the 30th and 40th dwelling previously approved).

**Ref:** 17/00413/FULMAJ **Decision:** PERFPP **Decision Date:** 5 December 2017

**Description:** Section 73 application to remove conditions 25 and 26 of permission ref: 17/00038/FULMAJ (which was a variation of condition application relating to the erection of 50 no. residential dwellings and the redevelopment of existing rugby club and associated facilities including floodlighting columns) to allow the phasing of the development to be changed - so that the dwellings can be built prior to the provision of the sports facilities.

**Ref:** 18/00108/FULMAJ **Decision:** PERFPP **Decision Date:** 18 March 2020

**Description:** Section 73 application to vary condition 6 (approved plans) attached to planning approval 17/00413/FULMAJ to allow alterations to the details of the rugby clubhouse building.

**Ref:** 23/00728/FUL **Decision:** PCO **Decision Date:** Pending

**Description:** Change of use of land to form an exercise area and installation of associated equipment including exercise frames, covered area, and the siting of a container for storage of the equipment; and the creation of a vehicle parking area

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

Suggested conditions

No.	Condition				
1.	<p>An application for approval of the reserved matters, namely the layout, scale, appearance and landscaping of the site, must be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>				
2.	<p>The development hereby permitted for one dwelling shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="320 1664 1299 1731"> <thead> <tr> <th data-bbox="328 1675 392 1697">Title</th> <th data-bbox="930 1675 1062 1697">Reference</th> </tr> </thead> <tbody> <tr> <td data-bbox="328 1697 568 1720">Proposed Site Plan</td> <td data-bbox="930 1697 1126 1720">WW/23/01/101F</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Reference	Proposed Site Plan	WW/23/01/101F
Title	Reference				
Proposed Site Plan	WW/23/01/101F				
3.	<p>The first reserved matters application shall include full details of the position, layout and phasing of the public open space. This shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the provision of public open space shall be carried out in strict accordance with the approved details.</p> <p>Reason: The ensure the proposed public open space is appropriate for the site and is delivered at an appropriate time.</p>				

<p>4.</p>	<p>With any reserved matters application including details of layout full details of the existing and proposed ground levels and proposed dwelling finished floor levels (all relative to ground levels adjoining the site) shall be submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans(s). The development shall be carried out strictly in conformity with the approved details.</p> <p>Reason: To ensure the final development is not harmful to the character of the area or residential amenity.</p>
<p>5.</p>	<p>With any reserved matters application or prior to the construction of any part of any dwelling above ground level, full details of the alignment, height and appearance of all fences, walls and gates to be erected on the site (notwithstanding any such details shown on previously approved plans) shall be submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until all fences, walls and gates shown on the approved details to bound its plot have been erected in conformity with the approved details. Other boundary treatments shown in the approved details shall be erected in conformity with the approved details prior to occupation of the final dwelling of the development.</p> <p>Reason: To ensure the boundary treatments are appropriate.</p>
<p>6.</p>	<p>With any reserved matters application or prior to the construction of any part of any dwelling above ground level, a lighting scheme for the whole of the development hereby approved shall be submitted to and approved in writing by the local planning authority. No dwelling shall be occupied until the approved lighting scheme has been implemented in conformity with the approved details.</p> <p>Reason: To ensure the boundary treatments are appropriate.</p>
<p>7.</p>	<p>The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment (PM4337, 01/03/2013, Peter Mason Associates).</p> <p>The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>
<p>8.</p>	<p>No development shall commence until a detailed, final surface water sustainable drainage strategy for the site has been submitted to, and approved in writing by, the local planning authority.</p> <p>The detailed surface water sustainable drainage strategy shall be based upon the site specific flood risk assessment (PM4337, 01/03/2013, Peter Mason Associates) and sustainable drainage principles and requirements set out in the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems. No surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.</p> <p>The details of the drainage strategy to be submitted for approval shall include, as a minimum;</p> <p>a) Sustainable drainage calculations for peak flow control and volume control for the:</p>

	<ul style="list-style-type: none"> <li>i. 100% (1 in 1-year) annual exceedance probability event;</li> <li>ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;</li> <li>iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep</li> </ul> <p>Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.</p> <ul style="list-style-type: none"> <li>b) Final sustainable drainage plans appropriately labelled to include, as a minimum:             <ul style="list-style-type: none"> <li>i. Site plan showing all permeable and impermeable areas that contribute to the drainage network either directly or indirectly, including surface water flows from outside the curtilage as necessary;</li> <li>ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels;</li> <li>iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;</li> <li>iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;</li> <li>v. Finished Floor Levels (FFL) in AOD with adjacent ground levels for all sides of each building and connecting cover levels to confirm minimum 150 mm+ difference for FFL;</li> <li>vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;</li> <li>vii. Measures taken to manage the quality of the surface water runoff to prevent pollution, protect groundwater and surface waters, and delivers suitably clean water to sustainable drainage components;</li> </ul> </li> <li>c) Evidence of an assessment of the existing on-site watercourse to be used, to confirm that these systems are in sufficient condition and have sufficient capacity to accept surface water runoff generated from the development.</li> <li>d) Evidence that a free-flowing outfall can be achieved. If this is not possible, evidence of a surcharged outfall applied to the sustainable drainage calculations will be required.</li> </ul> <p>The sustainable drainage strategy shall be implemented in accordance with the approved details.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 163 and 165 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>
<p>9.</p>	<p>No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:</p> <ul style="list-style-type: none"> <li>a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.</li> <li>b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.</li> </ul>

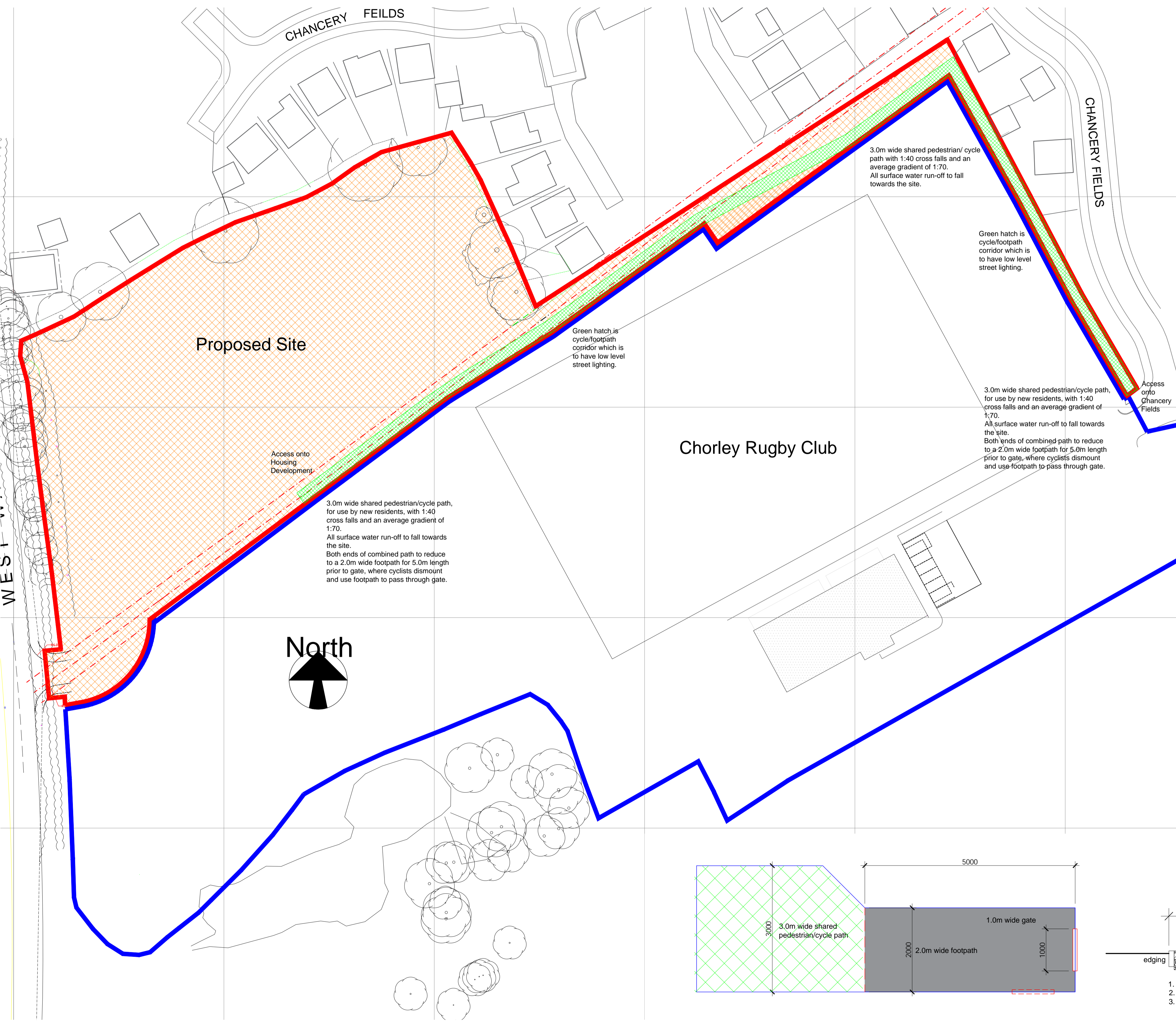
	<p>The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.</p> <p>Reasons: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.</p>
10.	<p>The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The details of the manual to be submitted for approval shall include, as a minimum:</p> <ul style="list-style-type: none"> <li>a) A timetable for its implementation;</li> <li>b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;</li> <li>c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;</li> <li>d) The arrangements for adoption by any public body or statutory undertaker, or any other arrangements to secure the operation of the sustainable drainage scheme in perpetuity;</li> <li>e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;</li> <li>f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and</li> <li>g) Means of access for maintenance and easements.</li> </ul> <p>Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details.</p> <p>Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.</p>
11.	<p>The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity.</p> <p>Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.</p>
12.	<p>As part of the submission of the first reserved matters application, details of the means of ensuring the water main and associated infrastructure that are laid within the site boundary are protected from damage as a result of the development shall be</p>

	<p>submitted to and approved by the Local Planning Authority in writing. The details shall include a survey that identifies the exact location of the water main and associated infrastructure, the potential impacts on these assets from construction activities (including the construction compound), the impacts post completion of the development on the water main infrastructure within the red line boundary and identify mitigation measures, including a timetable for implementation, to protect and prevent any damage to the water main both during construction and post completion of the development. The details shall include a pre-construction condition survey of these assets. Following completion of the development a post construction condition survey shall be submitted to and approved by the Local Planning Authority in writing.</p> <p>Any mitigation measures shall be implemented in full prior to commencement of development in accordance with the approved details and timetable and shall be retained thereafter for the lifetime of the development.</p> <p>Reason: In the interest of public health and to ensure protection of the public water supply.</p>
<p>13.</p>	<p>Due to the proposed sensitive end-use (housing with gardens), no development shall take place until:</p> <p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011+A2:2017 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;</p> <p>c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.</p> <p>Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.</p> <p>Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p>Reason: Due to the sensitive end use and potential for ground contamination.</p>
<p>14.</p>	<p>No development shall commence (including ground works and vegetation clearance) unless and until a scheme for offsetting biodiversity impacts to achieve a 10% net gain as a result of the development has been submitted to and agreed in writing by the Local Planning Authority. The net biodiversity impact of the development shall be measured in accordance with the DEFRA biodiversity offsetting metric (Updated to reflect changes to the landscape scheme and to include a BNG Assessment Report) and the scheme shall include:</p> <ol style="list-style-type: none"> <li>1. A scheme of on-site mitigation and/or for off-site offsetting;</li> <li>2. A methodology for the identification of any receptor site(s) for offsetting measures (if required);</li> <li>3. The identification of any such receptor site (if required);</li> </ol>

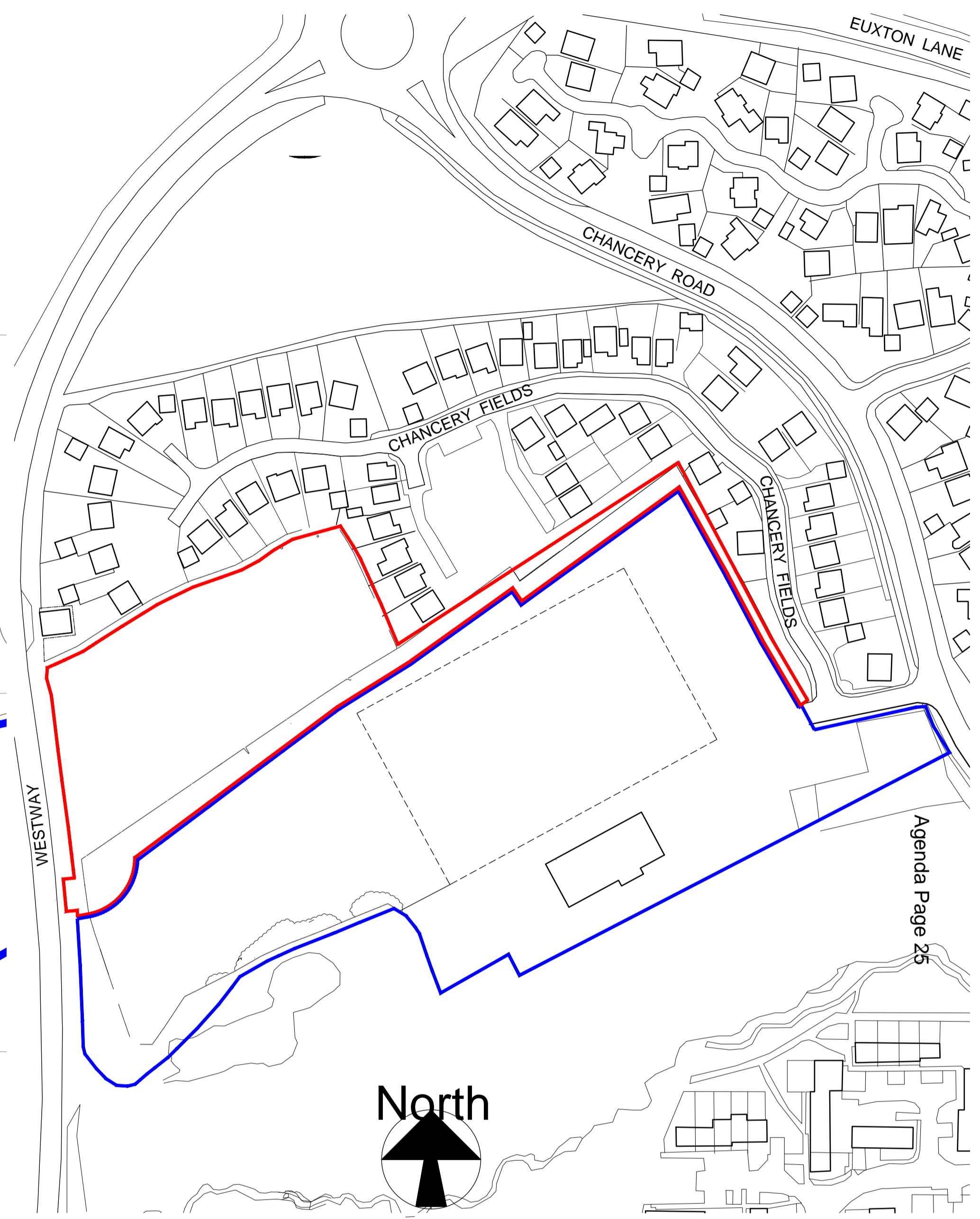
	<p>4. The provision of arrangements to secure the delivery of any offsetting measures if required (including a timetable for their delivery); and</p> <p>5. A management and monitoring plan (to include for the provision and maintenance of any offsetting measures in perpetuity).</p> <p>The written approval of the Local Planning Authority shall not be issued before the arrangements necessary to secure the delivery of any offsetting measures have been executed. The scheme shall be implemented in full accordance with the requirements of the approved scheme. Where off-site provision is required this shall be focused on delivering habitat management for ground nesting birds such as lapwing, unless otherwise agreed in writing with the LPA.</p> <p>Reason: To mitigate against the loss of biodiversity through the development of the site.</p>
15.	<p>The first reserved matters application shall include an arboricultural method statement and tree protection plan. These shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved details.</p> <p>Reason: To ensure that trees are retained and fully protected.</p>
16.	<p>No works to trees and shrubs or vegetation clearance shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey undertaken by a suitably experienced ecologist has been carried out immediately prior to any clearance/works has been submitted to, and approved in writing by, the local planning authority demonstrating that no active bird nests are present.</p> <p>Reason: Nesting birds are a protected species.</p>
17.	<p>No development shall commence until a Construction Traffic Management Method Statement (CTMMS) has been submitted to and approved by the Local Planning Authority in conjunction with the Highway Authority. The CTMMS shall include details relating to:-</p> <ul style="list-style-type: none"> <li>• Pre-construction highway condition survey and a subsequent scheme for the reinstatement of any highway verges and footways disturbed by abnormal loads associated with the development;</li> <li>• Any temporary or permanent highway alterations and improvements necessitated by the development, including details of temporary warning signing;</li> <li>• Measures for reinstating the highway after the removal of any temporary works together with details of the timing of any remediation measures;</li> <li>• Construction vehicle routing;</li> <li>• The management of junctions and crossings of the public highway;</li> <li>• The timing of delivery vehicle movements including turbine component delivery vehicles;</li> <li>• Details of banksmen/escorts of abnormal loads;</li> <li>• Traffic management of the existing highway network.</li> <li>• Hours of on site construction works.</li> </ul> <p>The development shall be carried out in accordance with the approved CTMMS at all times unless otherwise agreed in writing with the local planning authority.</p> <p>Reason: To maintain the operation of through routes in the area during the sites period of construction and to ensure the safety of other highway users.</p>
18.	<p>No part of the development shall be commenced until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be</p>

	<p>submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.</p> <p>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</p>
<p>19.</p>	<p>Before the access is used for vehicular purposes, any gateposts erected at the access shall be positioned 5m behind the nearside edge of the highway and visibility splay fences or walls shall be erected from the gateposts to the existing highway boundary, such splays shall be 45° to the centre line of the access. The gates shall open away from the highway. Should the access remain un-gated 45° splays shall be provided between the highway boundary and points on either side of the drive measured 5m back from the nearside edge of the highway.</p> <p>Reason: To permit vehicles to pull clear of the carriageway when entering the site and to ensure adequate inter-visibility between highway users when exiting, in the interests of highway safety.</p>
<p>20.</p>	<p>Prior to the construction/provision of any utility services, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to, and approved in writing by, the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.</p> <p>Reason: To future-proof the development.</p>

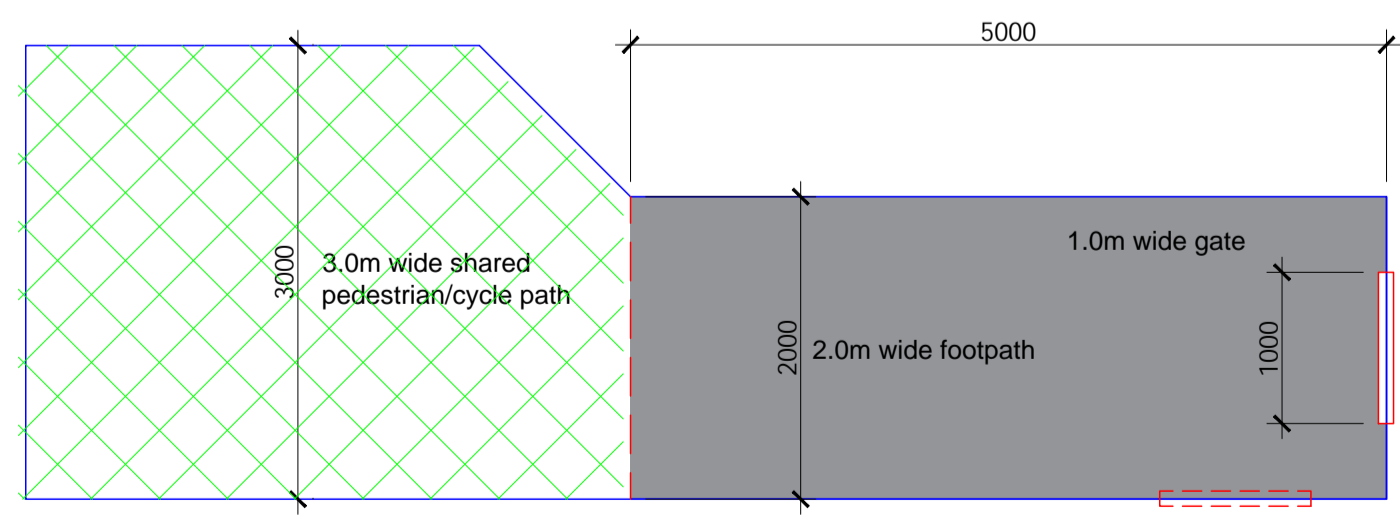




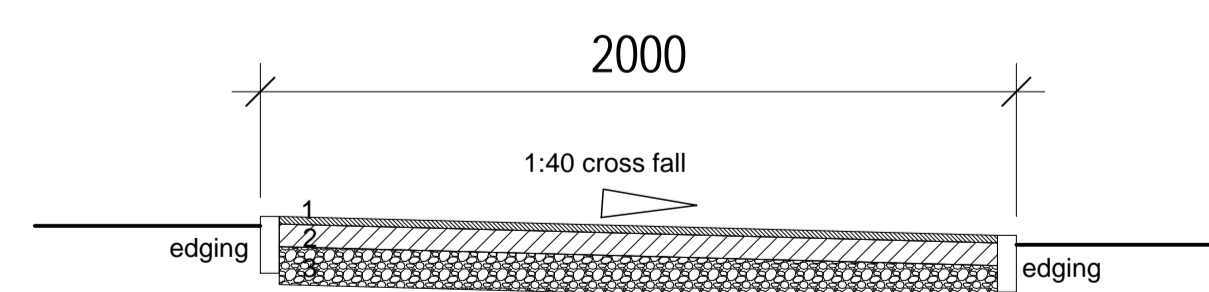
Site Plan 1:500



Location Plan 1:1250



Pedestrian/Cycle path Termination Detail 1:50



Footpath Detail 1:20

1. 20mm dense surface course.
2. 60mm dense binder course.
3. 100mm compacted sub-base

Rev	Detail	Date
A	Footpath amended + coloured green	11.05.2023
B	Footpath green boundary extended	14.08.2023
C	Site Boundary changed to accommodate revised footpath and footpath detail added for LCC Highways.	15.08.2023
D	Boundary adjacent UU easement amended.	21.08.2023
E	Cycle/footpath 3m wide + 2m width termination added	18.09.2023
F	Westway Access Updated	13.11.2023

Primrose Holdings  
Westway Astley Village Chorley

Residential Development  
Proposed Site Plan

Scale 1:1250 + 1:500 + 1:20@A1

25-01-2023 WW/23/01/101F



This page is intentionally left blank

**APPLICATION REPORT – 22/00631/FULMAJ**

**Validation Date: 19 July 2022**

**Ward: Adlington And Anderton**

**Type of Application: Major Full Planning**

**Proposal: Erection of 137no. dwellings, of which 30% will be affordable, together with associated roads, car parking and landscaping works**

**Location: Land Adjacent Rossendale Drive Adlington PR6 9AB**

**Case Officer: Mike Halsall**

**Applicant: Stewart Milne Homes**

**Agent: N/a**

**Consultation expiry: 23 October 2023**

**Decision due by: 22 December 2023 (Extension of time agreed)**

---

**RECOMMENDATION**

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure the following:
  - 30% (41) of the dwellings to be affordable with 70% (29) of these to be social rented and 30% (12) for shared ownership.
  - A contribution of £535,396 (or £517,586 if private maintenance is proposed) towards the delivery, management and maintenance of public open space.
  - £6,000 to secure a Travel Plan.

**SITE DESCRIPTION**

2. The application site is located towards the southern end of Adlington and consists of approximately 5 hectares of agricultural land with scattered mature trees and is framed by woodland corridors. The site is undeveloped and site levels fall away to the south east down to the adjoining River Douglas (which forms the boundary with the borough of Bolton) and an area of woodland. The south-western boundary is formed by the railway embankment which separates and encloses the site from the industrial uses on the opposite side (Adlington South Business Park).
3. The site is adjoined by residential development to the north, with a varied development pattern, style and form, but characterised by low density late 20<sup>th</sup> Century housing. The recently completed Douglas Meadows development to the northeast comprises predominantly detached and semi-detached properties, with some mews housing and apartments.
4. A footpath runs along the northern edge of the river, forming part of a circular walk around Adlington. A further public footpath runs along the eastern boundary in a north to south alignment.

5. The site falls immediately adjacent to the defined settlement boundary of Adlington and is identified in the Chorley Local Plan 2012-2026 as Safeguarded Land under policy BNE3.

#### **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. The application seeks full planning permission for the erection of 137 dwellings, of which 30% (41) will be affordable, together with associated roads, car parking, play area (LEAP) and landscaping works.
7. The proposed dwelling mix is as follows:
  - 15 x 1-bed apartments
  - 12 x 2-bed apartments
  - 16 x 2-bed house
  - 48 x 3-bed house
  - 33 x 4-bed house
  - 13 x 5-bed house
8. Included in the above, there is the following affordable housing mix:

##### Social Rent

- 15 x 1-bed apartments
- 6 x 2-bed houses
- 8 x 3-bed houses

##### Shared ownership

- 12 x 2-bed houses

9. The proposal has been amended since its original submission to include a pedestrian / cycle connection between the site and Grove Farm Drive, which was originally proposed to be for emergency access, along with changes to house types, Public Rights of Way amendments, moving the SuDS pond, improving visibility splays, improved parking arrangements and a reduction in the number of dwellings proposed from 139 to 137.

#### **REPRESENTATIONS**

10. Representations have been received from 79 addresses and Heath Charnock Parish Council raising objections to the proposal on the grounds summarised below.

##### Principle of development / Location

- Adlington has a brownfield site which could be developed for housing instead of using the green belt
- Why are residents being cut off from Adlington

##### Traffic and transportation / highway safety

- Increase in traffic on surrounding roads
- Pedestrian safety – children playing
- Highway safety
- Only one vehicle entrance is not sufficient
- No pathways to other areas of Adlington and does not encourage walking
- The raised table at barrow nook does not allow two cars to pass safely at the same time made more hazardous by the speed restrictions
- The existing traffic calming measures are dangerous
- The access originally proposed from Grove Farm more appropriate with no footpath access to the station or bus routes, residents will be forced to drive through a route that has experienced several accidents
- Lack of access for emergency vehicles

- The location of the proposed development would exceed the recommended maximum walking distances to available public transport services and would therefore result in an unsustainable pattern of development that would promote reliance on private car journeys
- The cycle route on the plans contains two sets of steps
- The proposed development would contravene Lancashire's Local Transport Plan LTP3 with regards to exceeding the recommended maximum walking distances to available public transport services.
- The area of the proposed emergency access to Huyton Road floods and is sometimes inaccessible
- The route to Groeve Farm Drive should be for vehicle traffic

#### Ecology / nature conservation / environment

- The current area is home to many deer
- Green spaces becoming increasingly spare
- Loss of animal habitats
- The proposed site has a large amount of Himalayan balsam
- The protected tree line where several species of bird and animal habitats are will be severely affected by noise from construction and resident traffic
- Risk of the river Douglas becoming polluted
- Increase in pollution due to the increase in cars
- Effect on wild fauna
- The developer should include more energy efficiency/water saving design to tackle climate change
- Tree loss
- Bat survey doesn't cover activity behind Grove Farm Drive and Abbey Grove
- Inaccuracies in ecological report in relation to ponds

#### Residential amenity / visual impact

- The scale of the works means that the property/premises has an oppressive impact on surrounding areas/houses
- Overlooking
- Unacceptable intrusion in the form of noise nuisance and general disturbance
- Impact on visual amenity
- 53 abbeyes Grove, 3 terraced houses within 6ft of back garden will affect their privacy
- The siting & density of two-story properties built directly behind the gardens of the bungalows at 43-55 Abbey Grove & subsequent loss of light, privacy, view & loss of peaceful enjoyment of the bucolic setting that these properties have had for more than sixty years
- Overbearing - The scale of the works means that the property/premises has an oppressive impact on surrounding areas/houses.

#### Flood risk / drainage

- Site is within a flood zone
- The current drainage system struggles to cope for the existing properties and often overflow causing environmental issue
- Increased flood risk

#### Amenities / Infrastructure

- Local doctors, primary schools, shops, travel and dentists are at capacity

#### Other issues

- Douglas meadow pay for and maintain footpaths around the estate and the park. Other local residents frequently vandalise this and now we would be expected to share a park

we pay for with another 139 houses, none of which will contribute to its upkeep nor that of the privately managed footpaths. They are essentially being given the benefits of our estate (a park and various cut throughs) with none of the associated fees

- Original plans would be far better suited
  - The number of homes previously rejected has increased, How?
  - Only found out about the application through Facebook
  - Residents pay for maintenance of communal areas through HML and do not want people to use them if they are not paying themselves
  - The buffer is not sufficient between the bungalows on Grove Farm Drive and the new development
  - The Planning Layout OS detail of land north of the proposed units 33-37 is not showing
  - Within the design statement there appears to be a number of dubious and contentious claims regarding the sustainability credentials of the proposed development and the applicant seems to have given little regard to the measures required to mitigate long term climate change, provide an eco-friendly environment and truly address sustainability
  - This proposed development does not currently appear to be compliant with Strategic Objective S03 of the CLCS
  - Issues with ground rent on the existing estate
11. Representations have been received in support of the proposal from one address which states the emergency access through to Huyton Road is an excellent solution, alleviating the need for vehicular access through Grove Farm Drive, which would create a dangerous road.

## CONSULTATIONS

12. Lancashire Highway Services (LCC Highway Services): no objection, following the applicant amending the proposed plans to include a pedestrian / cycle access to Grove Farm Drive and an emergency access via Huyton Road. Conditions and a S106 contribution of £6000 is requested to secure a Travel Plan.
13. Lancashire County Council Archaeology Service: no objection, any archaeology works cannot be justified. A query was raised by Councillor Kim Snape as to whether there were World War 2 air raid shelters within the site boundary. This was issued to LCC Archaeology Service for reply, and they confirmed the shelters are located outside the site boundary, to the south-east of the site, presumably for use by workers of the old bleach works.
14. Environment Agency: no objection to the proposal, following the applicant relocating the SuDS pond, subject to a condition relating to landscaping and ecological management.
15. Greater Manchester Ecology Unit: no objection, following the applicant submitting revised surveys and biodiversity net gain calculations, subject to conditions relating to the submission of a landscape and ecological management plan and a construction environmental management plan (CEMP: biodiversity).
16. Lancashire County Council (Education): have stated that a contribution towards additional school places is not required from this proposal.
17. Regulatory Services - Environmental Health Officer: no objection, commenting as follows:

*"A noise assessment has been carried out by Hepworth Acoustics which uses appropriate standards and methods to assess possible noise sources including noise from existing business premises and railway noise.*

*I accept the findings of the report and would ask that Sections 5.6 to 5.16 of the report covering acoustic fencing, glazing, ventilation and insulation for bedrooms located in roof spaces are conditioned as suggested in Section 5.18 of the report.*

*I would suggest that the guidance and recommendations contained within the Chorley Council document "Code of Practice for Construction and Demolition" which covers*

*operating hours, plant and equipment, piling, vibration, air pollution and dust should be adhered to. I would specifically request that vibration monitoring is carried out during any piling phases, to assist with the investigation and assessment of any vibration complaints, should they be received"*

18. Lancashire Fire and Rescue Service: have not responded.

19. Waste & Contaminated Land Officer: has responded as follows:

*"Regarding ground contamination, I note the Phase 1 and Phase 2 Geo-Environmental Assessment Reports which suggest the site is suitable for the proposed end use, however there is some further works/information required prior to development commencing, including:*

*The following further works will be required to progress to the construction phase:*

- Completion of ground gas monitoring programme.*
- Update gas risk assessment within this report.*
- Supplementary delineation of made ground near to TP21 (or watching brief during site strip).*
- Geotechnical earthworks laboratory testing on soils to help enable the development of an earthworks specification, if required.*
- Design of Remedial Strategy and confirmation with the Local Authority / NHBC*
- Production of Materials Management Plan (MMP) under the CL:AIRE DoWCoP, if required."*

20. Lead Local Flood Authority: no objection, following amendments to the submitted details, subject to conditions.

21. Lancashire Police: have responded with considerations for the applicant to incorporate into the final build of the development.

22. United Utilities: no objection, subject to conditions.

23. Network Rail: no objection, subject to conditions.

24. Tree Officer: no objection, subject to the submission of a tree protection plan and arboricultural method statement prior to development commencing.

25. Bolton Council: have not responded.

26. Adlington Parish Council: have responded in objection to the proposal, as follows:

*'Adlington Town Council considered this application at its meeting on 15 August 2022 and objects for the following reasons:*

- 1. The site is safeguarded land in The Chorley Local Plan 2012-2026*
- 2. Only one vehicular access onto Bolton Road is proposed as the access road used by residents of Phase 1. Has the Rossendale Drive & Bolton Road junction adequate capacity to maintain traffic flow through the residential estate and along Bolton Road?*
- 3. The only other proposed Phase 2 exit is the pedestrian footpath link into the Public Right of Way leading to Huyton Road or to Bolton Road. The proposed development probably exceeds the guideline minimum distances for people to drive or walk to facilities such as a bus stop or train station.*
- 4. If approved, this site would increase the detrimental impact of urban growth without any investment in the local infrastructure: the public highway network, car parking facilities, traffic management initiatives in congested locations; access to schools, medical services; parks and open space, recreation facilities etc. that Adlington Village requires.*
- 5. A developer-led piecemeal approach is being taken in Adlington. This is not in the best interests of the Town as a whole nor of its current and future population.*

6. *Flood water management after heavy rain will become an increasing concern as more natural sites are built upon.*
7. *Like Chorley Borough, the Adlington District has taken more than its fair share of development in recent years.*
8. *The phase 1 estate highway network of roads and footpaths has not yet been adopted by the Highways authority. This will impact on residents and the cost of developing phase 2 using unadopted roads is of concern to the Town Council and current Rossendale Drive estate residents.*
9. *Will the affordable housing be provided at social market rents?* 10. *Residents in the Abbey Grove bungalows are concerned about overlooking from proposed three storey apartment blocks to the rear of their homes.'*

27. Lancashire County Council Public Rights Of Way Officer: no objection, see section below on Traffic and Transportation.

## **PLANNING CONSIDERATIONS**

### Principle of development

28. Section 38(6) of the Planning and Compulsory Purchase Act 2004 provides that if regard is to be had to the development plan for any determination, then that determination must be made in accordance with the plan unless material considerations indicate otherwise.
29. The Development Plan comprises the adopted Central Lancashire Core Strategy (2012) and the adopted Chorley Local Plan 2012- 2026. 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).
30. Core Strategy Policy 1 sets out the locations for growth and investment across Central Lancashire and identifies Adlington as an Urban Local Service Centre, where some growth and investment will be encouraged to help meet housing and employment needs.
31. The Chorley Local Plan shows the application site forms an area of land safeguarded for future development needs beyond the plan period of 2026 (Policy BNE3.11 - South east of Belmont Road & Abbey Grove, Adlington).
32. Policy BNE3 is a restraint policy and states that development other than that permissible in the Green Belt or Area of Other Countryside (under Policy BNE2) will not be permitted on Safeguarded Land. The proposal is, therefore, contrary to Policy BNE3.
33. Located on the edge of the settlement, the site is in an accessible and sustainable location, within a reasonable walking distance of bus stops, railway station, primary school, community facilities and shops that would provide for the day to day needs of residents. The Education Authority has indicated there would be sufficient primary and secondary school places within the catchment area of the site. The proposed development is considered to be consistent with Policy 1 of the Core Strategy.
34. Core Strategy Policy 4 sets out the minimum housing requirements for the plan area and is addressed later within this report.

### Other material considerations

35. The National Planning Policy Framework (the Framework) is a key material consideration. The purpose of the planning system is to contribute to the achievement of sustainable development. There are three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives). There are three objectives to sustainable development set out at paragraph 8 and it is fundamental that development strikes the correct balance between:
  - Environmental - the protection of our natural, built and historic environment



- Economic - the contribution to building a strong and competitive economy
  - Social - supporting strong, vibrant and healthy communities
36. 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).
37. Paragraph 11 of the Framework states that 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.
38. 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.
39. Paragraph 59 of the Framework confirms the Government's objective of significantly boosting the supply of homes.
40. Paragraph 60 of the Framework reinforces that requirements represent the minimum number of homes needed.
41. 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

42. The following planning appeal decisions are of relevance.

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

43. On the 3 February 2022 a decision was issued for the appeal for Land adjacent to Blainscough Hall, Blainscough Lane, Coppull. The appeal was allowed and outline planning permission was granted for the erection of up to 123 dwellings (including 30% affordable housing) with public open space provision, structural planting and landscaping and vehicular access points from Grange Drive.
44. The main issues in the appeal were:
- Whether or not the Council can demonstrate a 5 year supply of deliverable housing land, having particular regard to the development plan, relevant national policy and guidance, the housing need or requirement in Chorley and the deliverability of the housing land supply;
  - Whether or not the most important policies of the development plan for determining the appeal are out of date, having particular regard to the 5 year housing land supply position and relevant national policy;

- Whether this, or any other material consideration, would justify the proposed development on safeguarded land at this time.
- Whether or not there are adequate secondary school places to serve the development.

45. In respect of the Housing Requirement in Chorley:

46. The Decision Letter includes an assessment of Core Strategy policy 4 (which sets out the minimum housing requirements for the plan area) in the context of Paragraph 74 of the Framework, and whether the policy has been reviewed and found not to require updating. It also considers whether the introduction of the standard method in itself represents a significant change in circumstances that renders Core Strategy policy 4 out of date with reference to the PPG (paragraph 062).
47. The Decision Letter concludes that it is appropriate to calculate the housing requirement against local housing need using the standard method due to the significant difference between the local housing need figure and the housing requirement in policy 4 amounting to a significant change in circumstances, which renders Policy 4 out of date.
48. With regards to the appropriate housing requirement figure to use when calculating the housing land supply position of the authority, the Blainscough Hall Inspector, therefore, sets out that the standard method should be used. Applying this to the Council's current supply results in a housing land supply position between 2.4 and 2.6 years.
49. The Inspector concluded that as such the Council can no longer demonstrate a 5-year supply of housing land meaning that the tilted balance, and presumption in favour of sustainable development was, therefore, engaged under paragraph 11(d) of the Framework.

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

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

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

52. In respect of housing land supply:

53. The Inspector for the conjoined appeals assessed Core Strategy Policy 4 against Paragraph 74 of the Framework which requires the local planning authority to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5 years' worth of housing against their requirement as set out in adopted strategic policies, or against their local housing need when strategic policies are more than five years old. The Core Strategy is more than five years old.
54. The Inspector considered MOU1 to have constituted a review of Core Strategy Policy 4 and was an up-to-date assessment of need at that point in time but that the situation moved on considerably since it was signed.

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

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

60. On the 17 March 2022 a decision was issued for the appeal for Land south of Parr Lane, Eccleston. The appeal was allowed and outline planning permission was granted for up to 34 dwellings and associated infrastructure on land south of Parr Lane, Eccleston, Lancashire in accordance with the terms of the application, Ref 20/01193/OUTMAJ, dated 4 November 2020, and the plans submitted with it, subject to the conditions.
61. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply as born out through recent appeal decisions, the main issue in the appeal was whether there were any material considerations that would justify dismissing the appeal.
62. The Inspector concluded the following with regards to housing land supply:

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

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

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

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

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

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

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

*The proposal would provide for up to 25 dwellings of which 30%, would be affordable homes (CS Policy 7). Given the absence of a 5-year HLS, the proposal would make, albeit a modest one, a material contribution to meeting local housing needs. As a benefit this attracts significant weight. The development would secure economic benefits through construction investment and the contribution future occupants would make to the local economy. These benefits attract moderate weight. The site has limited biodiversity value and the development has the potential to provide biodiversity net gain. This is a benefit of*

*limited weight. Given my assessment above, the harm arising from the conflict with LP Policy BNE3 is significantly and demonstrably outweighed by the benefits when assessed against the policies of the Framework as a whole.”*

**Land east of Charter Lane, Charnock Richard  
Decision APP/D2320/W/22/3313413**

66. On the 5 May 2023 a decision was issued for the appeal on Land east of Charter Lane, Charnock Richard. The appeal was allowed and full planning permission was granted for the erection of 76 affordable dwellings and associated infrastructure at the site in accordance with the terms of the application, ref 21/00327/FULMAJ, dated 11 March 2021, and the plans submitted with it, subject to conditions.
67. Following the LPAs withdrawal of the reasons for refusal of the application, based upon the LPA not having a 5-year housing land supply, the main issue in the appeal was whether the site is suitable for development, in the light of the locational policies in the development plan, highway safety and other material considerations.
68. The Inspector concluded the following with regards to housing land supply:

*“Paragraph 74 of the Framework requires local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to provide a minimum of 5-years worth of housing against their local housing need where the strategic policies are more than 5 years old.*

*The Council can currently only demonstrate a 3.3 year supply of deliverable housing. That position is agreed between the Council and appellant.*

*While this is disputed by a number of interested parties, this position has been extensively tested at appeal, including most recently in a decision dated December 2022. Accordingly, I am satisfied that there is a critical housing need across the Borough.”*

**Land at Blackburn Road, Wheelton  
Decision APP/D2320/W/22/3312908**

69. On the 30 May 2023 a decision was issued for the appeal on Land at Blackburn Road, Wheelton. The appeal was allowed and outline planning permission was granted for the residential development of up to 40 dwellings with access from Blackburn Road and all other matters reserved, subject to conditions.
70. The main issue in the appeal was whether the proposal is consistent with the objectives of local and national planning policies relating to the location of housing, and if there are any adverse effects of the development proposed, including conflict with the development plan as a whole, whether they would be outweighed by any other material considerations.
71. The Inspector concluded the following with regards to housing land supply:

*“the evidence before me has drawn my attention to recent appeal decisions in Chorley, including those where planning permission previously has been granted for up to 123 dwellings at Land adjacent to Blainscough Hall, Blainscough Lane, Coppull1, for up to 80 dwellings at Land to the East of Tincklers Lane, Eccleston2, for up to 34 dwellings at Land south of Parr Lane, Eccleston3 and for up to 25 dwellings at Land off Carrington Road, Adlington. Following those appeal decisions including the developments subject of Inquiries at Blainscough Lane, Coppull and Tincklers Lane, Eccleston, it is not a matter of dispute between the main parties that Policy 4 of the CS is more than five years old and is out of date due to changes to national policy since its adoption including a different method for calculating local housing need. I have no reason to take a different view. Furthermore, even if I were to accept the stated Council position of a 3.3 year deliverable supply of housing based on a local housing need calculation of 569 dwellings per annum (following the standard method set out in paragraph 74 of the Framework and Planning Practice*

*Guidance) rather than the deliverable supply of between 2.4 and 2.56 years identified by previous Inspectors, the shortfall in supply remains significant and clearly below five years. It follows that as I have found Policy 4 of the CS to be out of date and that the Council cannot demonstrate a five-year supply of deliverable housing sites that the 'tilted balance' in the Framework is to be applied which I necessarily return to later in my decision."*

#### Summary - the tilted balance

72. Paragraph 11 d (ii) of The Framework is engaged whereby the most important policies for determining an application are out of date, therefore 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.
73. As was the case with some of the aforementioned appeal cases, the most important policies for determining this application are Policies 1 and 4 of the Central Lancashire Core Strategy and Policy BNE3 of the Chorley Local Plan. Whilst the proposal would be consistent with Policy 1 of the Core Strategy, it would conflict with Policy BNE3 of the Local Plan, safeguarding land for future development.
74. At 1st April 2023 there was a total supply of 1,717 (net) deliverable dwellings which is a 3.2 year deliverable housing supply over the period 2023 – 2028 based on the annual requirement of 530 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 and that 30% of the of the dwellings would be affordable houses.
75. In light of the above, policy 4 of the Central Lancashire Core Strategy and BNE3 of the Chorley Local Plan are out of date and the tilted balance is, therefore, engaged.
76. The High Court decision [Gladman Developments Limited v Sec of State for Housing, Communities and Local Government and Corby Borough Council and Uttlesford District Council [2021 EWCA Civ 104] concerned the application of para 11d of the Framework and the tilted balance. In particular, the effect of footnote 7 in this case, where there was not a five year housing land supply, was simply to trigger paragraph 11(d) and that it did not necessarily render all policies out of date. It was noted that where 11(d) is triggered due to the housing land supply position it is for the decision maker to decide how much weight should be given to the policies of the development plan including the most important policies and involve consideration whether or not the policies are in substance out of date and if so for what reasons.
77. Policy 1 of the Core Strategy sets out the settlement strategy for the area and is not out of date. That said, the Council cannot demonstrate an adequate supply of housing and the shortfall is significant. Policy 1 of the Core Strategy therefore forms part of a strategy which is failing to deliver a sufficient level of housing. As such, the policy should only be afforded moderate weight in the planning balance.
78. Whilst policy BNE3 of the Local Plan 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. As such, limited weight should be attached to the conflict of the scheme with policy BNE3.
79. In accordance with the Framework, planning permission should be granted for the proposal, unless:
  - c. the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or
  - d. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

Emerging Central Lancashire Local Plan

80. 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 the Preferred Options Stage and public consultation on Preferred Options Part 1 closed in February 2023.
81. The majority of the proposed site was consulted on as part of the Preferred Options Part 1 consultation, site ref CH/HS1.4 'Land South East Belmont Road/Abbey Grove'. Responses to this consultation are being reviewed and will inform Preferred Options Part 2. In addition, 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. The Part 2 consultation document will comprise a full suite of draft policies, both strategic and development management (non-strategic) policies, in addition to proposed allocations for all land uses. It will also set out the infrastructure that will be required to support the growth that is planned for Central Lancashire.

Impact on the character and appearance of the area

82. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area; and that the proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features, then mitigation measures to replace the feature/s will be required either on or off-site.
83. Policy BNE10 (Trees) of the Chorley Local Plan 2012 -2026 stipulates, among other things, that proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.
84. Core Strategy policy 17 seeks to ensure that the design of new buildings takes into account the character and appearance of the local area, including among other things, linking in with surrounding movement patterns and not prejudicing the development of neighbouring land; and protecting existing landscape features and natural assets.
85. When considering any development proposal, the Council must be mindful of the National Planning Policy Framework (The Framework) that states that the Government attaches great importance to the design of the built environment and good design is a key aspect of sustainable development. The Framework also states that planning policies and decisions should aim to ensure that developments (amongst other things) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development.
86. Chorley Council plans positively for the achievement of high quality and inclusive design for all development, including individual buildings, public and private spaces and wider area development schemes and seeks to create well-mixed and integrated developments, which avoid segregation and have well-planned public spaces that bring people together and provide opportunities for physical activity and recreation.
87. The application site covers approximately 5 hectares and comprises greenfield land with scattered mature trees and is framed by woodland corridors. The site is undeveloped and

site levels fall away down to the adjoining River Douglas and an area of woodland. The south-western boundary is formed by the railway embankment which separates and encloses the site from the industrial uses on the opposite side (Adlington South Business Park).

88. The site is adjoined by residential development to the north, with a varied development pattern, style and form, but characterised by low density late 20<sup>th</sup> Century housing. The prevailing character of the immediate area is residential in nature.
89. The layout has been designed with an interconnected hierarchy of transport routes that are effectively integrated into the network. It maintains a green and semi-rural character within the site that features a variety of green infrastructure and respects its urban fringe setting. A range of house sizes and tenures are proposed that reflects the housing demands of the local population and attracts a diversity of residents.
90. The building to plot ratios would be in-keeping with the surrounding area and the overall density of the development is 27 dwellings per hectare. In this regard, it is considered that the proposed development makes the most efficient use of the developable area of land and makes good use of site constraints by incorporating green infrastructure and ecological enhancements within the scheme. In addition, the green infrastructure also serves to provide separation to neighbouring properties.
91. The proposed development provides a mix of 1 bed, 2 bed, 3 bed, 4 bed and 5 bed properties, which would achieve a mixed and well balanced community. The scale of the development is reflective of the predominantly two storey scale found within the surrounding area, and prominent corner plots are well designed within the use of dual fronted properties to add visual interest to the streetscene. The proposed materials are appropriate to the locality with a mixture of brickwork and roof tile colours, which would assimilate well with the surrounding dwellings.
92. A variety of boundary treatments are included as part of the design proposals. These will help to create a clear demarcation between public and private space, contributing towards a well-defined public realm and street scene. The proposal would involve the removal of five trees, some of which are covered by a Tree Preservation Order but only one (located at the proposed site entrance) being categorised as a Category B tree (moderate quality/value), the others being low quality (Category C) or need removal due to disease or other factors (Category U). Over 100 trees and over 300 whips would be planted as part of the landscaping scheme, in addition to hedges and shrubs.
93. Overall, it is considered that the proposal would be acceptable in terms of its impacts upon the character and appearance of the site and the wider area and complies with policies BNE1 and BNE10 of the Chorley Local Plan and Core Strategy policy 17 in this regard.

#### Impact on neighbouring amenity

94. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
95. The application proposes a residential development of 137 dwellings adjacent to existing residential areas.
96. All interface distances between the existing surrounding dwellings and the proposed dwellings meet the Council's minimum guideline distances and so are considered acceptable. The proposed dwellings have been designed in such a way so as to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.



97. With regards to noise, dust and other potential pollution during the construction period, these would be short in duration and limited in intensity. Such impacts could be adequately controlled through a construction environmental management plan (CEMP) which can be required to be submitted to the Local Planning Authority for approval prior to works commencing.
98. Having regard to the above, the proposed development is considered to accord with Chorley Local Plan policy BNE1 in respect of amenity.

#### Impact on ecological interests

99. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species. The policy also requires, among other things, that where there is reason to suspect that there may be protected habitats/species on or close to a proposed development site, the developer will be expected to carry out all necessary surveys in the first instance; planning applications must then be accompanied by a survey assessing the presence of such habitats/species and, where appropriate, make provision for their needs.
100. The application is accompanied by an ecological survey and assessment. The Council's ecological advisors have raised no objection to the proposal, subject to conditions.
101. The submitted biodiversity net gain assessment has been assessed as sufficient to ensure a net gain in biodiversity can be provided at the site. It is recommended that this be secured by planning condition.
102. The application is considered to be acceptable in terms of its potential impacts upon ecological receptors, subject to conditions. It is considered that the proposal complies with policy BNE9 of the Chorley Local Plan 2012-2026.

#### Traffic and Transportation

103. 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.
104. Policy ST1 (New provision of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development) of the Chorley Local Plan 2012 -2026 stipulates that new development and highways and traffic management schemes will not be permitted unless they include appropriate facilities for pedestrian, cycle parking facilities, and /or cycle routes. The policy requires, among other things, that proposal should provide for facilities for pedestrians and cyclists to facilitate access on foot and by bicycle to nearby residential, commercial, retail, educational and leisure areas, where appropriate; and additional footpaths, bridleways and cycleway routes between the countryside and built up areas where appropriate.
105. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network and their initial comments on the application were as follows:

*"I refer to the above planning application and would like to thank you for the opportunity to provide comments. Lancashire County Council (LCC) as the Local Highway Authority (LHA) is responsible for providing and maintaining a safe and reliable highway network.*

*With this in mind, the present and proposed highway systems have been considered and areas of concern that potentially could cause problems for the public, cyclists and public transport in and around the area have been identified.*

*LCC embraces appropriate development within Lancashire in line with local and national policies / frameworks and that, which is emerging. This involves working closely with planning authorities, in this case officers of Chorley Council and developers and their representatives. This approach supports the delivery of high quality, sustainable development and an appropriate scale of development that can be accommodated both locally and strategically.*

#### Summary

*LCC Highways does not have any objections regarding the proposed erection of 137no. dwellings, of which 30% will be affordable, together with associated roads, car parking and landscaping works and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.*

#### Introduction

*The proposed development is located within the settlement of Adlington, north of the railway line through Adlington and south of an existing development which will provide vehicular access onto the adopted highway network. An existing Public Right of Way (PROW) runs along the eastern boundary of the proposals.*

*There are public transport services to the north and west of the proposed development along Bolton Road and Railway Road. These services are comprised of bus services and train services and are accessed via the existing residential developments to the north and west of the proposed development. The link to the public transport services to the north of the proposal is much less attractive than the link to the west due to steep gradients.*

#### Proposed Development

*The proposed development is for the erection of 137no. residential dwellings with associated infrastructure works. It is proposed as part of this associated infrastructure works to provide a shared pedestrian and cycle link to the existing adopted highway at Grove Farm Drive to the west of the proposals. It is proposed to incorporate an existing Public Right of Way (PROW) into the development site and improve the existing PROW provision.*

*Parts of the proposed development will connect to the adopted highway network, a section 278 agreement will be required to enable this.*

*The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.*

#### Proposed Trip Generation

*The proposed trip generation of the proposals are acceptable in LCC Highways opinion and would not create an unacceptable impact on highway safety or capacity.*

### Sustainable Transport

*A shared pedestrian and cycle link are proposed from the development into Grove Farm Drive which is part of the adopted highway network. LCC Highways are satisfied that the proposals sufficiently promote sustainability (in highway matters) and promote inclusive mobility. This shared pedestrian and cycle link will require a section 278 agreement to connect to the adopted highway.*

*The grant of planning permission will require the applicant to enter into an appropriate legal agreement (Section 278), with Lancashire County Council as Highway Authority prior to the start of any development. The applicant should be advised to contact the county council for further information by telephoning the Development Support Section on 0300 123 6780 or email [developeras@lancashire.gov.uk](mailto:developeras@lancashire.gov.uk), in the first instance to ascertain the details of such an agreement and the information to be provided, quoting the location, district and relevant planning application reference number.*

### Private Car Parking

*Having assessed the proposed private car parking it is LCC Highways opinion that the proposed private car parking meets the requirements set out in Chorley's Local Plan.*

### Private Road Layout

*Much of the proposed private road layout meets LCC Highways minimum requirements for residential developments to be considered for adoption. These minimum dimensions are a carriageway width of 5.5 metres and flanked on either side by 2 metres wide footways. Until an adoption agreement has been reached between the applicant and LCC in its role as the LHA a management and maintenance program will be required. The parts of the private road that are not adopted will require a permanent management and maintenance program.*

*It is noted that Rossendale Drive to the north of the proposals which will provide vehicular access is not currently part of the adopted highway network. LCC Highways would not consider the currently proposed private road layout for adoption until Rossendale Drive was adopted.*

*The proposed traffic calming at the junction adjacent to plots 25, 110, 111 & 132 may be required to be removed as part of a section 38 agreement. This would be determined during the technical approval stage of the section 38 agreement.*

*Amended vehicle tracking has been received, which whilst using an older planning layout has satisfied LCC Highways concerns on the effective manoeuvring of refuse vehicles. An older planning layout has been used the proposed carriageway dimensions either match the currently proposed carriageways or are below the currently proposed. As the vehicle tracking proves that the turning heads can be used effectively with either the same carriageway widths or worse, LCC Highways are satisfied that the proposed private road layout will allow for effective use by refuse vehicles and emergency services.*

### Public Right of Way

*Following discussions with LCC's Public Rights of Way (PROW) team, it has been confirmed that the PROW team accept the proposed changes to the existing PROW (FP 0901008) as shown in the submitted plan "Proposed Planning Layout" [Dwg No: SK308-AD02, Rev: P].*

### Construction Traffic

*Were the application to be granted a Construction Traffic Management Plan will be required to mitigate the impact of construction traffic on other highway users and the local highway network.*

### Travel Plan

*Due to the number of proposed dwellings, LCC Highways would a travel plan to be produced with a S106 contribution to enable support from LCC Highways in the execution of the Travel Plan.*

*The S106 contribution required is based off the number of proposed dwellings and would be £6,000.00 (six thousand pounds).*

### Section 106 Contributions

*As Travel Plan support from LCC Highways will be required a section 106 contribution to the value of £6,000.00 (six thousand pounds) is requested.*

### Conclusion

*In conclusion LCC Highways can support the proposed development. A section 278 agreement would be required for the integration of the proposed links to the adopted highway. A management and maintenance agreement would be required for the proposed internal private road layout. A Construction Traffic Management Plan would be required to mitigate the impact of the construction phase of the development. A section 106 contribution of £6,000 is required for LCC Highways to help support the implementation of the travel plan”.*

106. In conclusion, the level of proposed parking and other highway implications of the proposal are considered to be acceptable, subject to conditions and a S106 agreement to secure the above referenced contribution. The other measures would be delivered by a S278 agreement under the Highways Act 1980.

### Mineral Safeguarding

107. The application site, along with land to the north which has been developed for housing and land to the east, forms part of a designated Mineral Safeguarding Area within the development plan. Policy M2 of the Joint Lancashire Minerals and Waste Local Plan (JLMWLP) – Site Allocation and Development Management Policies - Part One 2013 seeks to protect mineral resources in Lancashire from needless sterilisation.
108. The applicant's Mineral Assessment Review submitted in support of the application identifies that, from a review of geological mapping, it is likely that the safeguarding area relates to the presence beneath the site of brick clay and fire clay, with sand and gravel in the south east corner.
109. Given the close proximity of the site to existing residential and rail development, it is not considered that mineral extraction at this site would be acceptable due to the associated impacts upon residential amenity. The noise, dust, vibration and highway related impacts of quarrying the land in this location would be significant. As such, any mineral resource beneath the site would not be needlessly sterilised as a result of the proposed development and there is no conflict with policy M2 of the JLMWLP.

### Public open space

110. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:

Amenity Greenspace

111. Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.
112. There is currently a surplus of provision in Adlington and Anderton in relation to this standard and the site is within the accessibility catchment (800m) of an area of amenity greenspace. A contribution towards new provision in the ward is therefore not required from this development. However there are areas of amenity greenspace within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) (sites 2051 Barrow Nook Grove, Adlington and 1298 Rear of Chester Place/ Croston Avenue, Adlington). A contribution towards improvements to these sites is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

113. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population.
114. There is currently a deficit of provision in Adlington and Anderton in relation to this standard, a contribution towards new provision in the ward is therefore required from this development. As the development is 100 or more dwellings the required provision for children/young people should be provided on-site. The amount required is 0.03 hectares. A maintenance cost of £17,810 is also required for a 10 year period if private maintenance is not proposed.

Parks and Gardens

115. There is no requirement to provide a new park or garden on-site within this development.
116. The site is within the accessibility catchment (1,000m) of parks/gardens that are identified as being low quality and/or low value in the Open Space Study (sites ref: 2018 Leonard Fairclough Memorial Gardens, Adlington; and 1744 War Memorial Garden, Railway Road, Adlington), a contribution towards improving these sites is therefore required. The amount required is £1,467 per dwelling.

Natural and Semi-Natural Greenspace

117. There is no requirement to provide new natural/semi natural greenspace on-site within this development.
118. The site is within the accessibility catchment (800m) of areas of natural/semi-natural greenspace that are identified as being low quality and/or low value in the Open Space Assessment Report (February 2019)/Open Space Study Paper (February 2019) (site 1852 Rear of Otterside Avenue, Adlington), a contribution towards improving these sites is therefore required. The amount required is £557 per dwelling.

Allotments

119. There is no requirement to provide allotment provision on site within this development.
120. The site is within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Harrison Road, Adlington (HW5.4). A contribution towards new allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

121. The Playing Pitch Strategy and Action Plan (December 2018) identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing

pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements, with borough-level detail provided in the Chorley Open Space, Sports and Recreation Strategy (OSSR) Action Plan 2020 to 2036. The amount required is £1,599 per dwelling.

122. The total financial contribution required from this development is as follows:

Amenity greenspace	= £19,180
Equipped Play Area	= £17,810 (if not privately maintained)
Parks/Gardens	= £200,979
Natural/semi-natural	= £76,309
Allotments	= £2,055
Playing Pitches	= £219,063
Total	= <b>£535,396 (££517,586 if privately maintained)</b>

123. The on-site amenity greenspace provision and the financial contributions have been agreed by the applicant and could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policy HS4 A and B.

#### Drainage and flood risk

124. Core Strategy Policy 29 (Water Management) seeks to improve water quality, water management and reduces the risk of flooding in a number of ways including, among other things, appraising, managing and reducing flood risk in all new developments.

125. The vast majority of the site lies in Flood Zone 1, although the southern corner is within Flood Zones 2 and 3 due to the location of the River Douglas, as defined by the Environment Agency Flood Maps for Planning. Flood Zone 1 has the lowest probability of flooding (from rivers or sea) and residential development is appropriate in flood zone 1 in terms of the flood risk vulnerability classification as set out in the Planning Practice Guidance at Table 3. Residential and other built development, e.g. roads have therefore been restricted to the part of the site in Flood Zone 1. As has the sustainable drainage pond (SuDS), as requested by the Environment Agency. A further pond would be retained in the north western corner of the site.

126. The application is accompanied by a Flood Risk Assessment and Drainage Strategy and United Utilities, and the Lead Local Flood Authority (Lancashire County Council) have been consulted on the proposals. Neither consultee has raised any objection to the proposed development and have recommended drainage conditions.

127. The primary potential flood risk source to the site is from surface water. The risk associated with surface water will be reduced and sustainably managed post-development, following the implementation of mitigation measures proposed.

128. Due to the relatively low flood risks identified, the principal focus is on the sustainable management of surface water run-off to ensure no increased flood risk results from the development.

129. Ground testing will first be required by the applicant and the results submitted to the LPA via pre-commencement planning condition, to see if infiltration will be possible at the site before the applicant's proposed solution is allowed to be implemented, in accordance with the sustainable drainage hierarchy. The proposed solution is an attenuation basin located in the south east corner of the site with flows restricted to greenfield rates into the River Douglas.

130. Having regard to the advice obtained from the United Utilities and the Lead Local Flood Authority, it is considered that satisfactory drainage of the proposed development could be secured by way of conditions.

Affordable housing

131. Core Strategy policy 7 (Affordable and Special Needs Housing) sets down the approach to the delivery of affordable and special needs housing:

*“Subject to such site and development considerations as financial viability and contributions to community services, to achieve a target from market housing schemes of 30% in the urban parts of Preston, South Ribble and Chorley and of 35% in rural areas on sites in or adjoining villages.....”*

132. The proposed development includes 30% affordable on-site provision which is in accordance with Core Strategy policy 7. This equates to 41 affordable housing units in total, of which 70% (29 units) would be social rented and the remaining 30% (12 units) would be intermediate affordable housing. The breakdown is as follows:

Social Rent

15 x 1-bed apartments  
6 x 2-bed houses  
8 x 3-bed houses

Shared ownership

12 x 2-bed houses

133. Subject to the affordable housing provision being secured by way of a s106 legal agreement, the proposal accords with Core Strategy policy 7.

134. There is an acute shortfall in the provision of affordable housing in the borough. This development would make a valuable contribute to the borough-wide need for affordable housing, which is afforded significant weight in the planning balance, as identified in recent appeal decisions.

Sustainability

135. 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 26th March 2015, which effectively removed the Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

136. 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.

#### Employment skills provision

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

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

138. For housing developments which exceed 30 units, the SPD requires development over certain thresholds to be accompanied by an Employment and Skills Statement to ensure the right skills and employment opportunities are provided at the right time. This is to the benefit of both the developer and local population and covers the following areas:

- Creation of apprenticeships/new entrants/graduates/traineeships
- Recruitment through Job Hub and Jobcentre plus and other local employment vehicles.
- Work trials and interview guarantees
- Vocational training (NVQ)
- Work experience (14-16 years, 16-19 years and 19+ years) (5 working days minimum)
- Links with schools, colleges and university
- Use of local suppliers
- Supervisor Training
- Management and Leadership Training
- In house training schemes
- Construction Skills Certification Scheme (CSCS) Cards
- Support with transport, childcare and work equipment
- Community based projects

139. An employment and skills plan could be secured by way of a planning condition.

#### Community Infrastructure Levy

140. 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.

#### Planning balance

141. 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.

142. The adverse impacts of the development relate primarily to its conflict with policy BNE3, safeguarding land for future development. However, as the Local Planning Authority cannot demonstrate a 5-year housing land supply policy BNE3 is out-of-date and can only be attributed limited weight. The Framework indicates that the planning system should be genuinely plan-led. There are no other identified negative impacts of the proposal, which cannot be sufficiently mitigated by the imposition of planning conditions.
143. In terms of benefits, the provision of new housing would bring construction and supply chain jobs, places for the economically active to live, increased local spend and greater choice in the local market. These benefits have not been quantified and would apply to any housing development of this scale but are still considerable.
144. The scheme would deliver a policy compliant level of affordable homes to the area of which there is a significant shortfall across the Borough. The new affordable dwellings would provide homes for real people in real need.
145. The application site is considered to be in a sustainable location close to the existing amenities in Adlington.
146. The proposal would boost the supply of housing in a situation where there is no five-year supply and an under-provision of affordable housing and, as a result, moderate weight can be given to the economic benefits and significant weight to the social benefits.
147. The provision of open space and its ongoing management and biodiversity net gains are neutral considerations because they are needed to make the development acceptable.
148. The adverse impacts of the proposed development relating to its conflict with policy BNE3 would not significantly and demonstrably outweigh the economic and social benefits the proposal would deliver. As such, the proposal is recommended for approval.

## **CONCLUSION**

149. The application site is located in a sustainable location on the edge of a settlement identified in the Central Lancashire Core Strategy as a place where growth and investment is encouraged to help meet housing and employment needs. Whilst the proposal would conflict with policy BNE3 of the Chorley Local Plan 2012-2026, these adverse impacts do not significantly and demonstrably outweigh the economic and social benefits it would deliver, as identified above. As such, the proposal is recommended for approval.

**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
HOUSE TYPE V23-137-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor Hatton	V23-137-4D-601	6 June 2022
HOUSE TYPE V23-130-4D M/R FINISH Hatton STYLE V2	V23-117-4D-421 Rev C	25 October 2023
HOUSE TYPE V23-130-4D M FINISH Hatton STYLE V2	V23-117-4D-420	25 October 2023
HOUSE TYPE V23-137-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor Hatton	V23-137-4D-600	6 June 2022
Location Plan	SK398-LOC-01 Rev B	28 August 2022
Proposed Planning Layout	SK308-AD02 Rev Q	16 November 2023
Proposed Movements Plan	SK308-MP-01 Rev I	16 November 2023
Boundary Treatment Plan	SK308-BT-01 Rev I	16 November 2023
Enclosures - 1.8m Brick Screen Wall	STD.15.07	6 June 2022
Enclosures - 1.8m Close Boarded Fence	STD.15.06	6 June 2022
2M High Timber Screen Acoustic Fence Detail	STD.15.46	6 June 2022
Affordable Housing Layout	SK308-AFF-01 Rev L	16 November 2023
Affordable Housing Layout Tenure Split	SK308-AFF-02 Rev L	16 November 2023
POS Soft Landscaping Plan	11281-FPCR-XX- XX-DR-L-0008 Issue P02	10 March 2023
General Arrangement	11281-FPCR-XX- XX-DR-L-0002 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 1 of 5)	11281-FPCR-XX- XX-DR-L-0003 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 2 of 5)	11281-FPCR-XX- XX-DR-L-0004 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 3 of 5)	11281-FPCR-XX- XX-DR-L-0005 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 4 of 5)	11281-FPCR-XX- XX-DR-L-0006 Issue P03	27 October 2023
Soft Landscaping Plan (Sheet 5 of 5)	11281-FPCR-XX- XX-DR-L-0007 Issue P03	27 October 2023
12 Block - Elevations	SK308-12A-04	6 June 2022
12 Block - Ground Floor Blackline	SK308-12A-01	6 June 2022
12 Block - First Floor Blackline	SK308-12A-02	6 June 2022
12 Block - Second Floor Blackline	SK308-12A-03	6 June 2022

15 Block Elevations	SK308-15A-04	6 June 2022
15 Block - Ground Floor Blackline	SK308-15A-01	6 June 2022
15 Block - First Floor Blackline	SK308-15A-02	6 June 2022
15 Block - Second Floor Blackline	SK308-15A-03	6 June 2022
HOUSE TYPE V23-72-3MT BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor AVIEMORE	V23-72-3MT-600	6 June 2022
HOUSE TYPE V23-72-3MT BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor AVIEMORE	V23-72-3MT-601	6 June 2022
HOUSE TYPE V23-72-3MT M FINISH AVIEMORE STYLE V2- Option 1	V23-72AV-3MT- 420-1 Rev B	6 June 2022
HOUSE TYPE V23-72-3MT M FINISH AVIEMORE STYLE V2- Option 2	V23-72AV-3MT- 420-2	6 June 2022
HOUSE TYPE V23-80-3MT/ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor BERWICK	V23-80-3MT/ET/S- 600	6 June 2022
HOUSE TYPE V23-80-3MT/ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor BERWICK	V23-80-3MT/ET/S- 601	6 June 2022
HOUSE TYPE V23-80-3ET M FINISH BERWICK STYLE V2 - Option 1	V23-80-3ET- 420-1 Rev B	6 June 2022
HOUSE TYPE V23-80-3ET M FINISH BERWICK STYLE V2 - Option 2	V23-80-3ET- 420-2	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CAIRNHILL ET/S	V23-90-3ET/S-600 Rev A	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CAIRNHILL ET/S	V23-90-3ET/S-601	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHHILL ET/S STYLE V2- Option 1	V23-90-3ET/S-420- 1 Rev C	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHHILL ET/S STYLE V2- Option 2	V23-90-3ET/S-420- 2	6 June 2022
HOUSE TYPE V23-90-3ET/S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CAIRNHILL ET/S	V23-90-3ET/S-600 Rev A	6 June 2022
Blackline Sales Layout	F21-SMG-CA-00- DR-A-403-602	6 June 2022
HOUSE TYPE V23-90-3ET/S	V23-90-3ET/S-601	6 June 2022

BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CAIRNHILL ET/S		
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHNHILL ET/S STYLE V2- Option 1	V23-90-3ET/S-420-1 Rev C	6 June 2022
HOUSE TYPE V23-90-3ET/S M FINISH CAIRHNHILL ET/S STYLE V2- Option 2	V23-90-3ET/S-420-2	6 June 2022
Blackline Sales Layout	F21-SMG-CA-00-DR-A-403-600	6 June 2022
Blackline Sales Layout	F21-SMG-CA-01-DR-A-403-603	6 June 2022
Blackline Sales Layout	F21-SMG-CA-01-DR-A-403-601	6 June 2022
HOUSE TYPE F21-60T-2B3P M FINISH CANNOCK E STYLE V2	F21-60T-2B3P-E-420	6 June 2022
HOUSE TYPE F21-60T-2B3P M FINISH CANNOCK M STYLE V2	F21-60T-2B3P-M-420	6 June 2022
HOUSE TYPE V23-95-3D BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CORRINGHAM	V23-95-3D-600 Rev A	6 June 2022
HOUSE TYPE V23-95-3D BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CORRINGHAM	V23-95-3D-601 Rev A	6 June 2022
HOUSE TYPE V23-95-3D M/TB FINISH CORRINGHAM STYLE V2- Option 1	V23-95-3D- 424-1 Rev D	6 June 2022
HOUSE TYPE V23-95-3D M/TB FINISH CORRINGHAM STYLE V2- Option 2	V23-95-3D- 424-2	6 June 2022
HOUSE TYPE V23-96-3S BLACKLINE SALES LAYOUT BALVENIE SPEC Ground Floor CULROSS	V23-96-3S-600 Rev A	6 June 2022
HOUSE TYPE V23-96-3ET BLACKLINE SALES LAYOUT BALVENIE SPEC First Floor CULROSS	V23-96-S-601 Rev A	6 June 2022
HOUSE TYPE V23-96-3S M/T FINISH CULROSS STYLE V2- Option 1	V23-96-3S- 424-1 Rev D	6 June 2022
HOUSE TYPE V23-96-3S M/T FINISH CULROSS STYLE V2- Option 2	V23-96-3S- 424-2	6 June 2022
HOUSE TYPE V23-106-4S/D BLACKLINE SALES LAYOUT	V23-106-4S/D-600	6 June 2022

SHERBOURNE SPEC Ground Floor DEWSBURY		
HOUSE TYPE V23-106-4S/D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor DEWSBURY	V23-106-4S/D-601 Rev A	6 June 2022
HOUSE TYPE V23-106-4D M/T FINISH Dewsbury STYLE V2	V23-106-4D-424 Rev D	6 June 2022
HOUSE TYPE V23 -111-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor ELLAND	V23-110-4D-600	6 June 2022
HOUSE TYPE V23-110-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor ELLAND	V23-110-4D-601	6 June 2022
HOUSE TYPE V23-110-4D M FINISH Elland STYLE V2 - Option 1	V23-110-4D-420-1 Rev B	6 June 2022
HOUSE TYPE V23-110-4D M FINISH Elland STYLE V2- Option 2	V23-110-4D-420-2	6 June 2022
HOUSE TYPE V23-118-4D M/R FINISH Farnham STYLE V2 -Option 2	V23-118-4D-421-2	6 June 2022
HOUSE TYPE V23-118-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor FARNHAM	V23-118-4D-600 Rev C	6 June 2022
HOUSE TYPE V23-118-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor FARNHAM	V23-118-4D-601 Rev A	6 June 2022
HOUSE TYPE V23-118-4D M FINISH Farnham STYLE V2- Option 1	V23-118-4D-420-1	6 June 2022
HOUSE TYPE V23-123-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor GARSDALE	V23-123-4D-600	6 June 2022
HOUSE TYPE V23-123-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor GARSDALE	V23-123-4D-601	6 June 2022
HOUSE TYPE V23-123-4D M/T FINISH GARSDALE STYLE V2	V23-123-4D-424 Rev B	6 June 2022
Blackline Sales Layout - Ground Floor	F21-SMG-HA-00- DR-A-403-602	6 June 2022
Blackline Sales Layout - Ground Floor	F21-SMG-HA-00- DR-A-403-600	6 June 2022
Blackline Sales Layout - First Floor	F21-SMG-HA-01-	6 June 2022

	DR-A-403-603	
Blackline Sales Layout - First Floor	F21-SMG-HA-01-DR-A-403-601	6 June 2022
HOUSE TYPE F21-72T-3B4P M FINISH HALDON M STYLE V2	F21-72T-3B4P-M-420	6 June 2022
HOUSE TYPE F21-72T-3B4P M FINISH HALDON E STYLE V2	F21-72T-3B4P-E-420	6 June 2022
HOUSE TYPE V23-128-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor HARRIS	V23-128-4D-600 Rev B	6 June 2022
HOUSE TYPE V23-128-4D Peregrine House M FINISH Harris STYLE V2	V23-128-4D-420	6 June 2022
HOUSE TYPE V23-128-4D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor HARRIS	V23-128-4D-601	6 June 2022
HOUSE TYPE V23-128-4D M/R FINISH Harris Style V2	V23-128-4D-421 Rev B	6 June 2022
HOUSE TYPE V23-139-5D BLACKLINE SALES LAYOUT SHERBOURNE SPEC Ground Floor KENDAL	V23-139-5D-600 Rev A	6 June 2022
HOUSE TYPE V23-139-5D BLACKLINE SALES LAYOUT SHERBOURNE SPEC First Floor KENDAL	V23-139-5D-601 Rev A	6 June 2022
HOUSE TYPE V23-139-5D Peregrine House M FINISH Kendal STYLE V2 - Option 1	V23-139-5D-420-1	6 June 2022
HOUSE TYPE V23-139-5D M/R FINISH Kendal STYLE V2 -Option 2	V23-139-5D-421-2	6 June 2022
HOUSE TYPE V23-152-5D-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC Ground Floor Leven & Leven Signature	V23-152-5D-4D-600	6 June 2022
HOUSE TYPE V23-152-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor Leven Signature	V23-152-4D-602 Rev A	6 June 2022
HOUSE TYPE V23-152-5D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor LEVEN	V23-152-5D-601 Rev A	6 June 2022
HOUSE TYPE V23-152-5D-4D M/T FINISH Leven STYLE V2 -Option 1	V23-152-5D-4D-424-1 Rev C	6 June 2022

HOUSE TYPE V23-155-5D-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC Ground Floor Lytham & Lytham Signature	V23-155-5D-4D- 600 Rev B	6 June 2022
HOUSE TYPE V23-155-4D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor Lytham Signature	V23-155-4D-602	6 June 2022
HOUSE TYPE V23-155-5D BLACKLINE SALES LAYOUT GUILDFORD SPEC First Floor LYTHAM	V23-155-5D-601	6 June 2022
HOUSE TYPE V23-155-5D-4D M/R FINISH Lytham STYLE V2 -Option 2	V23-155-5D-4D- 421-2	6 June 2022
Bin Store - 12 Block	W0999-DET-105	6 July 2022
DETACHED GARAGE DETAILS Single Detached Plans, Section & Elevations CONSTRUCTION ISSUE	STD.09.104	6 June 2022
Cycle Store	W0999-DET-106 Rev A	6 June 2022
HOUSE TYPE V24-155-5D-4D M FINISH Lytham STYLE V2	V24-155-5D-4D- 420	16 November 2023
Street Scenes	SK308-SS01 Rev B	16 November 2023
Street Scenes	SK308-SS02 Rev A	16 November 2023
Street Scenes	SK308-SS03 Rev A	16 November 2023
Street Scenes	SK308-SS04 Rev A	16 November 2023

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

3. Prior to their installation, images and specifications for all hard surfacing materials shall have been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in strict accordance with the approved details.

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

4. Prior to their installation, specifications and images of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

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

5. Boundary treatments shall be erected as shown on approved drawings SK308-BT-01 Rev I, STD.15.07, STD.15.06 and STD.15.46. 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.*

6. Before the development hereby permitted is first commenced full details of existing and proposed ground levels, proposed building finished floor levels (all relative to ground levels adjoining the site) and full details of any retaining walls/structures 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.*

7. No removal of or works to any hedgerows, trees or shrubs or other vegetation shall take place between 1st March and 31 August inclusive, unless a competent ecologist has undertaken a 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.

*Reason: Nesting birds are a protected species.*

8. All planting, seeding or turfing comprised in the approved details of landscaping shown on approved drawing refs. 11281-FPCR-XX-XX-DR-L-0002 Issue P03, 11281-FPCR-XX-XX-DR-L-0003 Issue P03, 11281-FPCR-XX-XX-DR-L-0004 Issue P03, 11281-FPCR-XX-XX-DR-L-0005 Issue P03, 11281-FPCR-XX-XX-DR-L-0006 Issue P03, 11281-FPCR-XX-XX-DR-L-0007 Issue P03 and 11281-FPCR-XX-XX-DR-L-0008 Issue P03 shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

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

9. Prior to the construction/provision of any services within a phase, a strategy to facilitate super-fast broadband for future occupants within that phase shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.

*Reason: To ensure a sustainable form of development.*

10. The development shall not commence until an Employment and Skills Plan that is tailored to the development and will set out the employment skills opportunities for the construction phase of the development has been submitted to and approved by the council as Local Planning Authority (unless otherwise agreed in writing by the council). The development shall be carried out in accordance with the Employment and Skills Plan (in the interests of delivering local employment and skills training opportunities in accordance with Core Strategy Policy 15: Skills and Economic Inclusion).

*Reason: In the interests of delivering local employment and skills training opportunities as per the Central Lancashire Core Strategy Policy 15: Skills and Economic Inclusion and the Central Lancashire Employment Skills Supplementary Planning Document September 2017. No Employment and Skills Plan was submitted with the application.*

11. No development shall take place until the following has been completed and the results verified with the Local Planning Authority:

- Completion of ground gas monitoring programme.
- Update gas risk assessment within this report.
- Supplementary delineation of made ground near to TP21 (or watching brief during site strip).
- Geotechnical earthworks laboratory testing on soils to help enable the development of an earthworks specification, if required.
- Design of Remedial Strategy and confirmation with the Local Authority / NHBC
- Production of Materials Management Plan (MMP) under the CL:AIRE DoWCoP, if required



Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals, including the approved Phase 1 and Phase 2 Geo-Environmental Assessment Reports submitted in support of the approved planning application.

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

*Reason: To ensure that contamination on site is remediated to an appropriate standard for the end use.*

12. Prior to the commencement of development, an arboricultural method statement and details of tree protection measures shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works shall be undertaken in strict accordance with the approved details.

*Reason: To safeguard retained trees and hedgerows and in the interests of visual amenity.*

13. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment and surface water sustainable drainage strategy LRD32530 Issue B produced in September 2022 by Sutcliffe The measures shall be fully implemented prior to occupation of the development and in accordance with the timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority in consultation with the Lead Local Flood Authority.

*Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 167 and 169 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.*

14. No development shall commence until a Construction Surface Water Management Plan, detailing how surface water and stormwater will be managed on the site during construction, including demolition and site clearance operations, has been submitted to and approved in writing by the Local Planning Authority.

The details of the plan to be submitted for approval shall include method statements, scaled and dimensioned plans and drawings detailing surface water management proposals to include for each phase, as a minimum:

- a) Measures taken to ensure surface water flows are retained on-site during the construction phase(s), including temporary drainage systems, and, if surface water flows are to be discharged, they are done so at a restricted rate that must not exceed the equivalent greenfield runoff rate from the site.
- b) Measures taken to prevent siltation and pollutants from the site entering any receiving groundwater and/or surface waters, including watercourses, with reference to published guidance.

The plan shall be implemented and thereafter managed and maintained in accordance with the approved plan for the duration of construction.

*Reason: To ensure the development is served by satisfactory arrangements for the disposal of surface water during each construction phase(s) so it does not pose an undue surface water flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.*

15. The occupation of the development shall not be permitted until a site-specific Operation and Maintenance Manual for the lifetime of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The details of the manual to be submitted for approval shall include, as a minimum:

- a) A timetable for its implementation;
- b) Details of the maintenance, operational and access requirement for all SuDS components and connecting drainage structures, including all watercourses and their ownership;
- c) Pro-forma to allow the recording of each inspection and maintenance activity, as well as allowing any faults to be recorded and actions taken to rectify issues;
- d) Details of whom to contact if pollution is seen in the system or if it is not working correctly.

Thereafter the drainage system shall be retained, managed, and maintained in accordance with the approved details

*Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the sustainable drainage system is subsequently maintained pursuant to the requirements of Paragraph 169 of the National Planning Policy Framework.*

16. The occupation of the development shall not be permitted until a site-specific verification report, pertaining to the surface water sustainable drainage system, and prepared by a suitably competent person, has been submitted to and approved in writing by the Local Planning Authority.

The verification report must, as a minimum, demonstrate that the surface water sustainable drainage system has been constructed in accordance with the approved drawing(s) (or detail any minor variations) and is fit for purpose. The report shall contain information and evidence, including photographs, of details and locations (including national grid references) of critical drainage infrastructure (including inlets, outlets, and control structures) and full as-built drawings. The scheme shall thereafter be maintained in perpetuity

*Reason: To ensure that surface water flood risks from development to the future users of the land and neighbouring land are minimised, together with those risks to controlled waters, property, and ecological systems, and to ensure that the development as constructed is compliant with the requirements of Paragraphs 167 and 169 of the National Planning Policy Framework.*

17. No development shall commence until a Construction Traffic Management Method Statement (CTMMS) has been submitted to and approved by the Local Planning Authority in conjunction with the Highway Authority. The CTMMS shall include details relating to:

- Pre-construction highway condition survey and a subsequent scheme for the reinstatement of any highway verges and footways disturbed by abnormal loads associated with the development.
- Any temporary or permanent highway alterations and improvements necessitated by the development, including details of temporary warning signing.
- Measures for reinstating the highway after the removal of any temporary works together with details of the timing of any remediation measures;
- Construction vehicle routing;
- The management of junctions and crossings of the public highway;
- The timing of delivery vehicle movements;
- Details of banksmen/escorts of abnormal loads;
- Traffic management of the existing highway network.

The development shall be carried out in accordance with the approved CTMMS at all times unless otherwise agreed in writing with the local planning authority.

*Reason: To maintain the operation of through routes in the area during the sites period of construction and to ensure the safety of other highway users.*

18. 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 an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established].

*Reason: To ensure the streets are built to the correct standards for highway safety reasons.*

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

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

20. No building or use hereby permitted shall be occupied or the use commenced until the car parking areas have been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times

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

21. No development shall commence until a Construction Environmental Management Plan (CEMP) has been submitted to, and approved in writing by, the local planning authority. The CEMP shall provide for:

- a) hours of operation (including deliveries) during construction;
- b) storage of plant and materials used in constructing the development;
- c) siting of cabins, site compounds and material storage area(s);
- d) the erection of security hoarding where appropriate;
- e) wheel washing facilities that shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway;
- f) measures to mechanically sweep the roads adjacent to the site as required during the full construction period;
- g) measures to control the emission of dust and dirt during construction;
- h) a scheme for recycling/disposing of waste resulting from demolition and construction works;
- i) measures to ensure that construction and delivery vehicles do not impede access to adjoining properties; and

The approved development shall be carried out in accordance with the approved CEMP.

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

22. Prior to any development taking place above DPC level, a phasing plan for the delivery of the on-site public open space shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the provision of these areas shall be carried out in strict accordance with the approved details and retained as such thereafter.

*Reason: To ensure the delivery of the public open space.*

23. A landscape and ecological management plan (LEMP) shall be submitted to, and be approved in writing by, the local planning authority prior to the commencement of the development. The content of the LEMP shall include the following.

- a) Description and evaluation of features to be managed.
- b) Ecological trends and constraints on site that might influence management.
- c) Aims and objectives of management.
- d) Appropriate management options for achieving aims and objectives.
- e) Prescriptions for management actions.
- f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period).
- g) Details of the body or organization responsible for implementation of the plan.
- h) Ongoing monitoring and remedial measures.

The LEMP shall also include details of the legal and funding mechanisms by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.

*Reason: To contribute to and enhance the natural and local environment.*

24. Prior to any development of the superstructure of the approved foul water pumping station taking place, details of its scale and appearance shall have first been submitted to and approved by the Local Planning Authority.

*Reason: The interests of the amenity of local residents and the character and appearance of the site.*

25. The approved development shall be carried out in strict accordance with the mitigation measures specified at Sections 5.6 to 5.16 and 5.18 of the submitted noise assessment covering acoustic fencing, glazing, ventilation and insulation for bedrooms located in roof spaces and the Chorley Council document "Code of Practice for Construction and Demolition". Vibration monitoring shall also be carried out during any piling phases, to assist with the investigation and assessment of any vibration complaints, should they be received

*Reason: In the interests of the amenities of local residents.*

26. 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: To contribute to and enhance the natural and local environment.*

27. Prior to the commencement of development, a method statement and risk assessment shall be submitted to the Local Planning Authority for review, in consultation with Network Rail, and approved in writing by the Local Planning Authority.

The above must relate to all works to be undertaken within 10m of the operational railway. Any measurements must be taken from the operational railway / Network Rail boundary and not from the railway tracks themselves. From the existing railway tracks to the Network Rail boundary, the land will include critical infrastructure (e.g. cables, signals, overhead lines, communication equipment etc) and boundary treatments (including support zones) which might be adversely impacted by outside party proposals unless the necessary asset protection measures are undertaken. No proposal should increase Network Rail's liability. To ensure the safe operation and integrity of the railway, Network Rail issues advice on planning applications and requests conditions to protect the railway and its boundary. Network Rail would need to be re-assured the works on site follow safe methods of working and have also taken into consideration any potential impact on Network Rail land and the existing operational railway infrastructure. Builder to ensure that no dust or debris is allowed to contaminate Network Rail land as the outside party would be liable for any clean-up costs. Review and agreement of the RAMS will be undertaken between Network Rail and the applicant/developer.

*Reason: To ensure that the construction and subsequent maintenance of the proposal can be carried out without adversely affecting the safety, operational needs or integrity of the railway.*

28. Prior to occupation of the site the developer is to provide a suitable trespass proof fence adjacent to the boundary with the railway, the details of which will have first been submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

*Reason: To protect the adjacent railway from unauthorised access.*

29. Prior to any vibro-impact works taking place on site, a risk assessment and method statement shall be submitted to and approved by the Local Planning Authority, in consultation with Network Rail.

*Reason: to prevent any piling works and vibration from de-stabilising or impacting the railway.*

30. Prior to the commencement of development details of how disposal of surface and foul water will be directed away from the railway shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

*Reason: : To protect the adjacent railway from the risk of flooding, soil slippage and pollution.*

31. Prior to the commencement of development full details of ground levels, earthworks and excavations to be carried out near to the railway boundary shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

*Reason: To protect the adjacent railway and its boundary.*

32. Prior to the commencement of development details of appropriate vehicle safety protection measures along the boundary with the railway shall be submitted to and approved in writing by the Local Planning Authority in consultation with Network Rail.

*Reason: to prevent the design and layout of the road and parking spaces from impacting the adjacent operational railway with accidental vehicle incursion.*

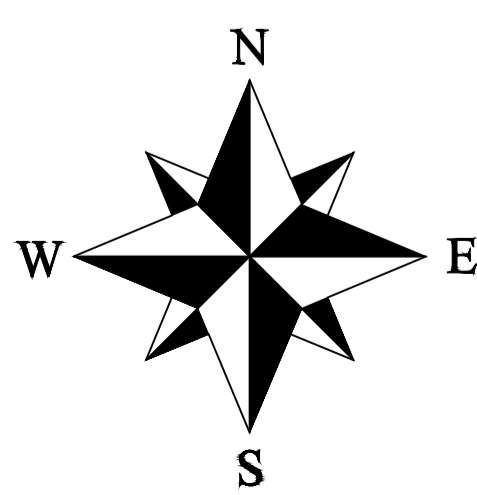
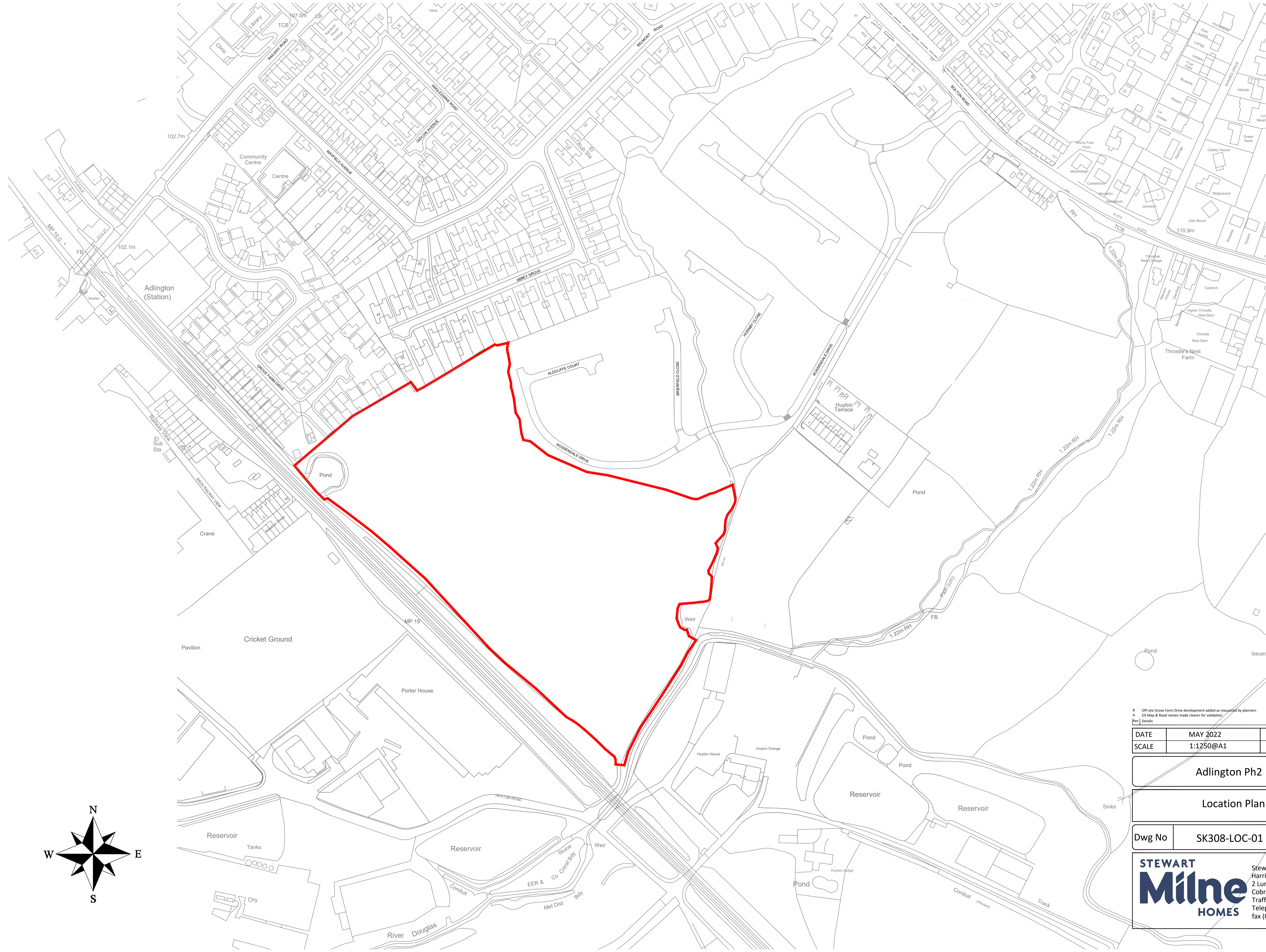
33. Prior to its erection, full details of any scaffolding works within 10m of the railway boundary shall be submitted to and approved by the Local Planning Authority in consultation with Network Rail.

*Reason: In the interests of protecting the railway and its boundary from over-sailing scaffolding.*

34. Notwithstanding the details on any submitted plans and prior to installation of any equipment, details of the equipment for the LEAP (play area) shall be submitted to and approved in writing by the Local Planning Authority. The equipment shall be installed in accordance with the approved details.

*Reason: To ensure that the LEAP provides an appropriate range of equipment and is implemented in a timely manner and for the avoidance of doubt.*





B Off-site Grove Farm Drive development added as requested by planners 26.08.22 BS  
 A OS Map & Road names made clearer for validation 05.07.22 BS  
 Rev | Date | By | CHK

DATE	MAY 2022	DRAWN	BS
SCALE	1:1250@A1	CHK	DJM

**Adlington Ph2**

**Location Plan**

Dwg No	SK308-LOC-01	Rev	B
--------	--------------	-----	---

**STEWART Milne HOMES**  
 Stewart Milne Homes  
 Harrier House  
 2 Lumsdale Road  
 Cobra Business Park  
 Trafford Park Manchester  
 Telephone (0161) 866 6900  
 fax (0161) 866 6909



This page is intentionally left blank



**APPLICATION REPORT – 23/00712/FUL**

**Validation Date: 23 August 2023**

**Ward: Clayton East, Brindle And Hoghton**

**Type of Application: Full Planning**

**Proposal: Conversion of barn to form 4no. dwellings, erection of 3no. dwellings and detached car port (following demolition of 5no. existing buildings)**

**Location: Head O'th Marsh Farm Sandy Lane Brindle Chorley PR6 8PQ**

**Case Officer: Chris Smith**

**Applicant: Mr and Mrs R & CJ Ormisher**

**Agent: PWA Planning**

**Consultation expiry: 21 September 2023**

**Decision due by: 22 December 2023**

---

**RECOMMENDATION**

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £938.00 towards the provision of equipped play area for children/young people.

**SITE DESCRIPTION**

2. The application site is located within the Green Belt as defined by the Chorley Local Plan 2012-2026 on the southern side of Sandy Lane in the rural locality of Brindle. The site contains a cluster of buildings of varying age, type, and construction most of which have been used for agriculture and one for non-agricultural use. To the east, the site is bounded by a building known as 'the Farmshop' which benefits from an extant planning permission to be converted to 2no. dwellings (ref. 22/00023/FUL). The grade II listed building Head O'th Marsh Farmhouse is also located immediately to the east of the site.
3. The immediate locality is predominantly rural, characterised by agricultural land, farmsteads, and individual dwellings. The M65 is located approximately 300m to the south of the site and the settlement of Brindle is approximately 1.3km to the south west.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks planning permission for the conversion of a barn (building 4, which is a curtilage listed building) to form 4no. dwellings and the erection of 3no. dwellings and a detached car port, following the demolition of 5no. existing buildings as follows:

Conversion of building 4

5. This would involve the removal of extensions on the eastern and southern side of the larger eastern portion of the existing barn and the removal of an extension on the western portion of the barn. The resultant building would contain 4no. residential units with units 1 and 2 located in the older, eastern, larger part of the barn and units 3 and 4 situated in the existing western brick section of the barn. Unit 2 would have an integral garage.

6. The larger eastern portion of the barn is the oldest part of the building where external alterations would be limited to the removal of later extensions. Several external alterations to the western brick-built part of the building are proposed including the replacement of the existing roof with a zinc sheet roof and the addition of vertical weather board cladding to the north west and south west elevations.

#### Erection of 3no. dwellings and carport (to replace building B)

7. The proposed dwellings would be built in the location of the existing building B which was last used for caravan storage. They would be contained within a single building which would measure approximately 30m by 10m and would have a dual pitched roof with an eaves and ridge height of approximately 3.3m and 6.6m respectively.
8. The proposed car port would be located immediately to the north of the new building. It would have a mono-pitched roof with an eaves and ridge height of approximately 2.2m and 3.3m respectively. It would provide 5no. car parking spaces as well as storage space.

#### Access, landscaping, and parking

9. Vehicular access to the site would remain as it currently exists with the two existing access points from Sandy Lane to be utilised.
10. Proposed soft landscaping would involve the provision of tree and hedge planting as well as the creation of a wildflower meadow / paddock within the central portion of the site. Hard landscaping would involve a mixture of tarmac, decorative paving and granite setts.
11. A total of 20no. car parking spaces would be provided and modestly proportioned areas of domestic curtilage to be used as private amenity space would serve each of the proposed dwellings.

#### **REPRESENTATIONS**

12. No representations have been received.

#### **CONSULTATIONS**

13. Brindle Parish Council – Have stated that they object to the proposed development for the following reasons:
  - Traffic and highway safety.
  - Impact on the grade II listed property Head O'th Marsh Farm.
  - Overdevelopment of the site which will create a small housing estate.
  - Lack of infrastructure for the development.
  - Insufficient parking provision.
  - Design and materials would be out of keeping with the character of the area.
  - Impact on the Green Belt.
  - Building B does not constitute previously developed land.
14. Greater Manchester Ecology Unit (GMEU) – Have stated that they raise no overall objections to the application on ecology grounds, subject to conditions.
15. Lancashire County Council Archaeological Services - Have stated that the buildings are of some historical interest and the proposed conversion would have a significant impact on the character of the building and would result in the loss of some historic fabric. They advise that an archaeological record of the buildings be made prior to any development.
16. Lancashire County Council Highway Services (LCC Highways) – Have stated that they have no objections in principle to the development, however, they requested that the proposed granite setts surrounding the tarmac at the access to the highway be removed and replaced with tarmac in order to avoid future maintenance issues.

17. United Utilities (UU) – Have not raised any objections to the proposed development and stated that their records show that there are no known public sewers in the vicinity of the proposed development although a water main is located within the vicinity of the site.

## PLANNING CONSIDERATIONS

### Principle of the development in the Green Belt

18. The application site is located wholly within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy 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 the Green Belt. Exceptions to this are:*

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:*
  - not have a greater impact on the openness of the Green Belt than the existing development; or*
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.*

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

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

19. There are two main elements to the proposal with differing impacts on the Green Belt including the conversion of the barn (building 4) to 4no. residential dwelling units (paragraph 150d exception) and the erection of 3no. dwellings and a car port following the demolition of existing building B (paragraph 149g exception). These elements are assessed separately below leading to a single conclusion as to the overall impact on the Green Belt.

### Proposed conversion

20. With regards to the conversion of an existing barn, previously used for agricultural purposes, to dwellinghouses, this falls within the exception to inappropriate development in the Green Belt relating to the re-use of a building, as detailed at bullet point d) of paragraph 150 of the Framework which states that:

21. In order to benefit from the relevant exception to inappropriate development in the Green Belt, specified at paragraph 150 (d) of the Framework, the applicant must demonstrate that the change of use preserves the openness of the Green Belt, does not conflict with the purposes of including land in the Green Belt and involves the re-use of a building of permanent and substantial construction. Policy HS9 of the Chorley Local Plan 2012-2026 reflects this guidance.
22. Policy HS9 of the Chorley Local Plan 2012 – 2026 states that the re-use of existing buildings in the Green Belt, Safeguarded Land and Area of Other Open Countryside will be allowed providing all of the following criteria are met:

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

The proposed conversion would not increase the size, scale, or height of the existing building and as such the resultant building, would have no greater impact on the openness of the Green Belt than the existing building.

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

The proposed development would involve the conversion and re-use of an existing building which is already contained within a cluster of existing buildings. Given that the proposed development would not increase the size and scale of the building it is not considered that there would be any greater or more adverse visual impacts upon the character or quality of the surrounding countryside than that which occurs as a result of the existing building.

*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;*

On a visit of the application site, it was observed that the buildings subject of the application were vacant and no agricultural operations or evidence of recent agricultural activity could be discerned. The design and access statement states that one of the buildings on the site (building B) has been used lawfully for non-agricultural activity as caravan storage. The applicant's agent has also confirmed that:

*"the majority of the farm buildings have not been in use since April 2022 when the last tenant farmer left the site and that prior to this the previous tenant farmer who occupied the farmhouse rented some of the farm buildings and land. That same farmer continues to rent the land associated with Head O'th Marsh, but now lives at and uses the agricultural buildings at Leigh Farm, located approximately 300m from the application site. It is the intention that all farming uses would cease at the site, and whilst the surrounding land will remain in agriculture, no further agricultural buildings will be needed. The applicants themselves are not farmers".*

Taking this into account and in the absence of any evidence to indicate that agricultural operations are likely to resume at the site, it is not considered that the re-use of the building would likely result in any additional farm buildings which would have a harmful effect on the openness of the Green Belt.

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

The application building has been in situ in excess of ten years.

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

The application has been supported by the provision of a Structural Condition Survey report. This stated that the survey identified that the barn is generally in a good condition

with little sign of previous movement and no sign of ongoing movement and existing trusses and purlins appear to be in good condition with little sign of rot or infestation. It stated that the roof to the stone part of the barn is to remain as slate and the brick section would have a new zinc sheet lining system. The report concluded that the amount of rebuilding required would be well below the 30% threshold. It is, therefore, considered that the building is of permanent substantial construction and capable of conversion without more than 30% reconstruction.

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

The proposed development would retain several external features of the existing building. It is considered that the oldest part of the building, the larger eastern portion, contributes positively to the setting of the grade II listed farmhouse and the fabric and appearance of this part of the building would be retained with changes limited to the removal of later extensions in order to return this part of the building to its original footprint. Existing stonework and the roof would also be retained. Consequently, it is considered that this part of the conversion would not involve any additions or alterations which would change the form and character of the building.

Alterations to the brick built western portion of the barn would involve the replacement of the roof with a zinc sheet lining roof and the north west and south west elevations would be clad in vertical weather board cladding. It is considered that the resultant building would reflect the agricultural character of the site and the design, style and form of other agricultural buildings which are relatively commonplace within the immediate locality.

Having regards to the above, the proposal is considered to be acceptable in design terms and would not be harmful to the character of the existing building. The curtilage formation is considered to be acceptable and not disproportionate to the size of the new dwellings.

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

The development would utilise the existing means of access from Sandy Lane to north of the site.

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

The application is accompanied by a preliminary ecological assessment and a barn owl method statement by Batworker Ecological Consultancy which have been assessed by the Council's appointed ecologists at Greater Manchester Ecology Unit (GMEU). They advised that they raise no overall objections to the application on ecology grounds, however, they noted that breeding barn owls have been recorded on the site and as they are legally protected the measures outlined in the Barn Owl Method statement should be required to be implemented in full by means of a planning condition.

GMEU also advised that the applicant should be aware that bats can and do turn up in unlikely places and if bats are encountered at any time during works, works must cease and advice sought from a suitably qualified person about how best to proceed.

Having regard to the above, it is considered that the nature conservation interests would be sustained, and the proposal would comply with Chorley Local Plan policy BNE9.

23. Following a thorough review of the wording of the Framework and Policy HS9, the proposed conversion is considered to preserve the openness of the Green Belt and it does not

conflict with the purposes of including land in the Green Belt and the development relates to a building of permanent and substantial construction.

#### Redevelopment of previously developed land

24. The proposed dwellings and car port would replace an existing storage building (building B). A planning application for the conversion of this building to a building for the storage of 14no. caravans was approved by the Council in January 2007 (ref. 06/01273/COU). There is no evidence to indicate that there have been any intervening agricultural uses of the building since this time and, therefore, the part of the site which is occupied by the building and its curtilage is considered to constitute previously developed land within the Green Belt as defined within Annex 2 of the Framework.
25. The proposed dwellings and car port would therefore have the potential to engage with the exception detailed at paragraph 149g of the Framework involving limited infilling or the partial or complete redevelopment of a previously developed site which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026. This is on the proviso that the development does not have a greater impact on the openness of the Green Belt than the existing development.
26. Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of ‘openness’. It is a subjective judgment which is considered further below, along with objective criteria of making that assessment. It is considered that in respect of the Framework, the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of existing buildings on the site currently does not justify any new buildings. The new building must also not “have a greater impact on the openness of the Green Belt”.
27. In considering the impact on openness in relation to any existing development the Council considers that any increase in volume of up to 30% greater than an existing building is not materially larger as applied to replacement dwellings in the Green Belt under policy HS6 of the Chorley Local Plan 2012-2026. It is the Council’s custom and practice to apply this same allowance as a way of determining whether buildings are materially larger in other instances and it is considered to be a useful guideline in this instance. In this case the volume of the existing building to be demolished has been surveyed to measure approximately 2754 cubic metres and the proposed dwelling and car port would have a volume of approximately 2380 cubic metres. This represents an overall decrease in built volume of 13%. These figures have been verified by the case officer.
28. Given the above, there would not be a material increase in volume and the proposed development would not, therefore, have a greater impact on the openness of the Green Belt than the existing development and as such would not represent inappropriate development in the Green Belt.

#### Green Belt summary

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

#### Impact on the character and appearance of the locality

30. 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;”

31. As previously noted, it is not considered that the proposed conversion of the barn building would have an unacceptable adverse impact on the character and appearance of the locality as several external features of the existing building would be retained. The resultant building would reflect the agricultural character of the site and the design, style and form of other agricultural buildings which are relatively commonplace within the immediate locality.
32. The proposed dwellings to replace building B would be accommodated within a single rectangular shaped building with a dual pitched roof. This would be faced with a dark coloured corrugated steel cladding and a zinc sheet lining system roof. It is considered that the relatively basic and conventional form of the building along with the functional facing materials would be an acceptable design solution given the agricultural characteristics of the existing site and buildings, and it is not considered that the building would appear out of place within the rural context of the immediate locality where there is no distinct or prevailing architectural context. The proposal is considered to be acceptable in design terms and would not be harmful to the visual amenities of the area. The curtilage formation is considered to be acceptable and not disproportionate to the size of the new dwellings.
33. The proposed car port would be faced with identical facing materials to the proposed dwellings and it is considered that it would reflect and complement the dwellings and would not detract from the character of the existing site and the immediate locality.
34. 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 the amenity of neighbouring occupiers

35. 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):
  - b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;”
36. Building no. 4, which is to be converted, is approximately 32m away from the neighbouring residential property to the north east of the site at Manor Barn. This degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on the amenity of the occupiers of this property. It would be approximately 15m away from the eastern site boundary and the single storey building known as the ‘Farm Shop’ which is located along this boundary. It is noted that there is an extant planning permission for the conversion of this building to 2no. dwellings (20/01114/FULMAJ). However, it is a single storey building and therefore there would be no facing first floor habitable room windows in the two buildings, and it is considered that the resultant relationship between the two buildings would be acceptable in respect of amenity.
37. Head O’th Marsh Farmhouse is approximately 13m to the south east of building no. 4, however, the proposed development would not involve the installation of any first floor habitable room windows within the south facing elevation of the building which would face towards this neighbouring property. It is not considered that the resultant building would have a significantly greater or more adverse impact on the amenity of the occupiers of this neighbouring property than that which already occurs as a result of the existing relationship between the two buildings.
38. The proposed dwellings and car port would be approximately 45m to the west of Head O’th Marsh Farmhouse and this degree of separation is adequate to ensure that there would be no unacceptable adverse impacts on the amenity of the occupiers of this property. It is acknowledged that the development would generate a degree of noise and disturbance as a result of comings and goings to the site. However, the proposed residential use would be

a relatively low-key activity which would not generate any levels of noise that would be significantly greater or more adverse than the noise which would have previously been generated by agricultural operations at the site.

39. The proposal complies with policy BNE1 of the Local Plan with regards to amenity.

Impact on a designated heritage asset

40. The Planning (Listed Buildings and Conservation Areas) Act 1990 (The Act) sets out the primary duty that a Local Planning Authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. Great weight and importance is attached to this duty.
41. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of:
- The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
42. Paragraph 199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
43. Paragraph 200 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
44. Paragraph 202 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
45. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
- a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
  - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.
  - c) Identifying and adopting a local list of heritage assets for each Authority.
46. Chorley Local Plan 2012 - 2026 policy BNE8 (Protection and Enhancement of Heritage Assets) states that:
- a) Applications affecting a Heritage Asset or its setting will be granted where it:
    - i. Is in accordance with the Framework and relevant Historic England guidance;
    - ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
    - iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;



- b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following:
- i. The conservation of features and elements that contribute to the heritage asset's significance and character. This may include: chimneys, windows and doors, boundary treatments, original roof coverings, earthworks or buried remains, shop fronts or elements of shop fronts in conservation areas, as well as internal features such as fireplaces, plaster cornices, doors, architraves, panelling and any walls in listed buildings;
  - ii. The reinstatement of features and elements that contribute to the heritage asset's significance which have been lost or damaged;
  - iii. The conservation and, where appropriate, the enhancement of the setting of heritage assets;
  - iv. The removal of additions or modifications that are considered harmful to the significance of any heritage asset. This may include the removal of pebbledash, paint from brickwork, non-original style windows, doors, satellite dishes or other equipment;
  - v. The use of the Heritage Asset should be compatible with the conservation of its significance. Whilst the original use of a building is usually the most appropriate one it is recognised that continuance of this use is not always possible. Sensitive and creative adaptation to enable an alternative use can be achieved and innovative design solutions will be positively encouraged;
  - vi. Historical information discovered during the application process shall be submitted to the Lancashire Historic Environment Record.
47. The policy also states that development involving the demolition or removal of significant heritage assets, or parts thereof, will be granted only in exceptional circumstances that have been clearly and convincingly demonstrated to be in accordance with the requirements of the Framework.
48. The key considerations in respect of the impact of the proposal on the heritage asset are:
- Whether the proposed works would harm the significance of the curtilage listed building (building 4);
  - Whether the works taken as a whole would cause harm to the contribution made by the setting to the significance of the grade II listed Head O'th Marsh Farmhouse; and
  - Can the proposed works be justified by any public benefits delivered by the scheme?

### Assessment

49. As a group of buildings, it is considered that the combination barn (building 4), in particular the early stone element, and single storey stables contribute positively to the setting of the Farmhouse. These buildings frame the view of the Farmhouse which sits at the rear of the eastern section of the farmyard. The western section of the farmyard, including the later brick cattle shed which connects to the combination barn is of less interest and is largely visually separated from the Farmhouse.
50. The modern C20 farm development is of no value and detracts from the appreciation of the wider significance of the traditional farm grouping. However, overall, it is considered that the significance of the buildings and the site is high/exceptional. It is considered that the scheme would secure the sustainable re-use and long-term retention of the traditional buildings which contribute positively to the historic farm group setting for Head O'th Marsh Farmhouse. The removal of the modern C20 farm sheds of different builds which lie to the west of the Farmhouse and obscure any sort of appreciation of the listed farmhouse from the west, would be acceptable.
51. The conversion of the stone barn would help to sustain its important relationship with the farmhouse, which lies to the south and the design and external treatments required in order to facilitate the conversion would be appropriate. Proposed changes to the attached brick building on the western side would represent an improvement and any direct harm or loss of significance to the curtilage buildings would be minimal.
52. Taking the site as a whole it is considered that the reduction in buildings across the site would be seen as a positive and as already indicated above this would benefit the setting to the listed Farmhouse and principal buildings in the group. Furthermore, it is considered that

visually the new building and residential units on the western part of the site including the car port is sufficiently far removed from the listed building as to not cause a concern regarding setting. On this basis is not considered that the proposed scheme would cause any discernible harm to the significance of the heritage assets on the site and would (with the proposed demolition and general clearance of the modern agricultural sheds) provide some improvement to the appreciation of the principal listed building.

53. Any limited harm caused by the conversion works themselves to the barn (building 4) would be very low (less than substantial) in scale and it is considered that this harm would be outweighed by the benefits of providing a new sustainable use for the retained buildings and the improvements brought about to the immediate setting to the farmhouse. As the benefits provided by the scheme gained to the setting to the listed building outweigh the limited harm, the development would meet the requirements of Chapter 16 of the NPPF and would be in accordance with Policies BNE1(e) and BNE8 of the Chorley Local Plan 2012-2026 and Policy 16 of the Central Lancashire Core Strategy.

#### Parking provision and highway safety

54. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, provided that, where relevant to the development the residual cumulative highways impact of the development is not severe and it would not prejudice highway 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.
55. Policy ST4 'Parking Standards' of the Chorley Local Plan 2012-2026 requires that proposals for development will need to make parking provision in accordance with the standards set out in Appendix A of the Local Plan.
56. Appendix A identifies the Council's minimum parking standards for new residential development and states that off-street parking should generally be provided at a ratio of 2 spaces for a two or three bed dwelling. In this case the proposed development would involve the provision of 2no. two bedroom dwellings and 5no. three bedroom dwellings generating a requirement for 14no. off road car parking spaces. Evidence has been provided to demonstrate that a total 20no. car parking spaces would be provided, and it is considered that this would be an acceptable level of parking provision.
57. The existing buildings which occupy the site were previously used as part of a well-established agricultural enterprise that would have generated traffic in its own right. Whilst it is acknowledged that the proposed residential use of the site would potentially generate an increase in the number of journeys to and from the site relative to the previous use, it is not considered that there would be an intensification in traffic that would be so severe that it would prejudice highway or pedestrian safety.
58. LCC Highways have stated that they have no objections in principle to the development. They did state that the proposed granite setts surrounding the tarmac at the access to the highway be removed and replaced with tarmac in order to avoid future maintenance issues. However, it is considered that the proposed granite setts would be acceptable in this case and would not prejudice highway safety.
59. It is considered that the proposed development is acceptable from a highway safety perspective.

#### Sustainability

60. 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.”*

61. 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

62. Policy HS4A and HS4B of the Chorley Local Plan 2012 – 2026 - Open Space Requirements in New Housing Developments explains that all new housing developments will be required to make provision for open space and recreation facilities, where there are identified local deficiencies in the quantity, accessibility, or quality and/or value of open space and recreation facilities. The requirements for the proposed development are as follows:
63. The Council does not require contributions from developments of fewer than 11 dwellings in respect amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments and playing pitches. No contributions are, therefore, required in this case for these standards.
64. However, with regards to provision for children and young people, there is currently a deficit of provision in Clayton East, Brindle and Hoghton in relation to this standard and a contribution towards new provision in the ward is therefore required from this development. The amount required is £134 per dwelling.
65. The total financial contribution required from this development is as follows:
- |                      |               |
|----------------------|---------------|
| Amenity greenspace   | = £0          |
| Equipped Play Area   | = £938        |
| Parks/Gardens        | = £0          |
| Natural/semi-natural | = £0          |
| Allotments           | = £0          |
| Playing Pitches      | = £0          |
| <b>Total</b>         | <b>= £938</b> |
66. The equipped play area provision could be secured by way of a s106 legal agreement. Subject to securing the above, the proposed development would accord with Chorley Local Plan policies HS4 A and B.

Community Infrastructure Levy

67. 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**

68. It is considered that the proposed development would not be inappropriate development in the Green Belt as it accords with exceptions 149g and 150d of the Framework. The proposed development would not have an unacceptable adverse impact on the character and appearance of the surrounding area, nor would it cause any significant harm to the amenity of neighbouring residents, highway safety or ecology and it would not harm the significance of the identified heritage assets. It is, therefore, considered that the development accords with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policies BNE1, BNE5, BNE8, BNE9 and BNE11 of the Chorley Local Plan 2012 – 2026 and the Central Lancashire Rural Development SPD.
69. Consequently, it is recommended that the application is approved, subject to conditions and a S106 legal agreement to secure a financial contribution of £938.00 towards the provision of equipped play area for children/young people.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 83/00819/FUL **Decision:** PERFPP **Decision Date:** 23 January 1984  
**Description:** Proposed dairy unit and slurry store and relocation of septic tank

**Ref:** 91/00447/FUL **Decision:** PERFPP **Decision Date:** 9 July 1991  
**Description:** Erection of replacement store and animal housing unit with underground water store

**Ref:** 02/00210/FUL **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 02/00211/LBC **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Listed Building Consent for demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 06/00022/COU **Decision:** PERFPP **Decision Date:** 17 March 2006  
**Description:** Change of use from a redundant farm building to a farm shop and parking area in existing yard

**Ref:** 06/01273/COU **Decision:** PERFPP **Decision Date:** 9 January 2007  
**Description:** Retrospective application for the change of use from agricultural storage barn to the storage of up to 14 caravans

**Ref:** 11/00349/FUL **Decision:** PERFPP **Decision Date:** 15 June 2011  
**Description:** Construction of a temporary widened access and a temporary site compound in relation to maintenance works on the Thirlmere Aqueduct.

**Ref:** 13/00781/FUL **Decision:** PERFPP **Decision Date:** 14 November 2013  
**Description:** Barn conversion to single residential dwelling

**Ref:** 17/00861/FUL **Decision:** PERFPP **Decision Date:** 11 January 2018  
**Description:** Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage.

**Ref:** 19/00067/DIS **Decision:** PEDISZ **Decision Date:** 11 March 2019

**Description:** Application to discharge condition nos. 4 (archaeological recording), 5 (scheme for foul sewers and surface water drainage) and 10 (boundary fences and walls) attached to planning permission 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage).

**Ref:** 19/00776/FUL **Decision:** PERFPP **Decision Date:** 4 October 2019

**Description:** Erection of three garages and associated works in relation to development approved by application 17/00861/FUL (conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/00708/DIS **Decision:** PEDISZ **Decision Date:** 1 October 2020

**Description:** Application to discharge condition no.7 (fenestration and joinery details) attached to planning permission ref. 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/01107/FULHH **Decision:** WDN **Decision Date:** 21 June 2022

**Description:** Single storey side extension with glazed link. Demolition of existing single storey kitchen/utility to rear and single storey side lean-to.

**Ref:** 20/01108/LBC **Decision:** WDN **Decision Date:** 21 June 2022

**Description:** Application for listed building consent for 1) Single storey side extension with glazed link. 2) Demolition of existing single storey kitchen/utility to rear and single storey side lean-to. 3) Relocation of internal staircase.

**Ref:** 20/01114/FULMAJ **Decision:** WDN **Decision Date:** 22 December 2021

**Description:** Conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 20/01115/LBC **Decision:** WDN **Decision Date:** 22 December 2021

**Description:** Application for listed building consent for conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 22/00004/LBC **Decision:** APPRET **Decision Date:**

**Description:** Removal of existing stone building, conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 22/00023/FUL **Decision:** PERFPP **Decision Date:** 28 February 2022

**Description:** Conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 23/00713/LBC **Decision:** PCO **Decision Date:**

**Description:** Application for listed building consent for the conversion of barn to form 4no. dwellings and erection of 3no. dwellings following demolition of existing buildings

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

- a) Details of the colour, form and texture of all external facing materials to the proposed dwelling
- b) Details of the colour, form and texture of all hard ground- surfacing materials
- c) Location, design and materials of all fences, walls and other boundary treatments
- d) The finished floor level of the proposed dwellings and any detached garages

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

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

3. A scheme for the landscaping of the development and its surroundings shall be submitted prior to any works taking place above DPC level. These details shall include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat and provide a net gain in the biodiversity value of the site.

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.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Building B Ground Floor and First Floor Plans Location Plan	505 B	23 August 2023
Building 4 Ground Floor and First Floor Plans	503 A	23 August 2023
Building B Elevations	506 A	23 August 2023
Building 4 Elevations	504	23 August 2023
Building 4 and B Proposed Site Plan	507 D	11 December 2023

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

5. No part of the development hereby approved shall be occupied 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.*

6. 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.*

7. 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.*

8. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include 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. The development shall thereafter be implemented in accordance with the approved scheme.

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

9. Prior to the first occupation of any of the dwellings hereby permitted, existing buildings labelled A, B, C, D and E on the drawing titled 'Existing Block Plan: Building 4 and Replacement Building B' (ref: 500) shall have been demolished and all resultant materials removed from site.

*Reason: To protect the openness of the Green Belt.*

10. Prior to the first use of the approved buildings, three bat boxes shall be installed in the mature trees within the site and retained as such thereafter.

*Reason: To create biodiversity enhancements, in accordance with the National Planning Policy Framework.*

11. 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: To protect a European Protected Species.*

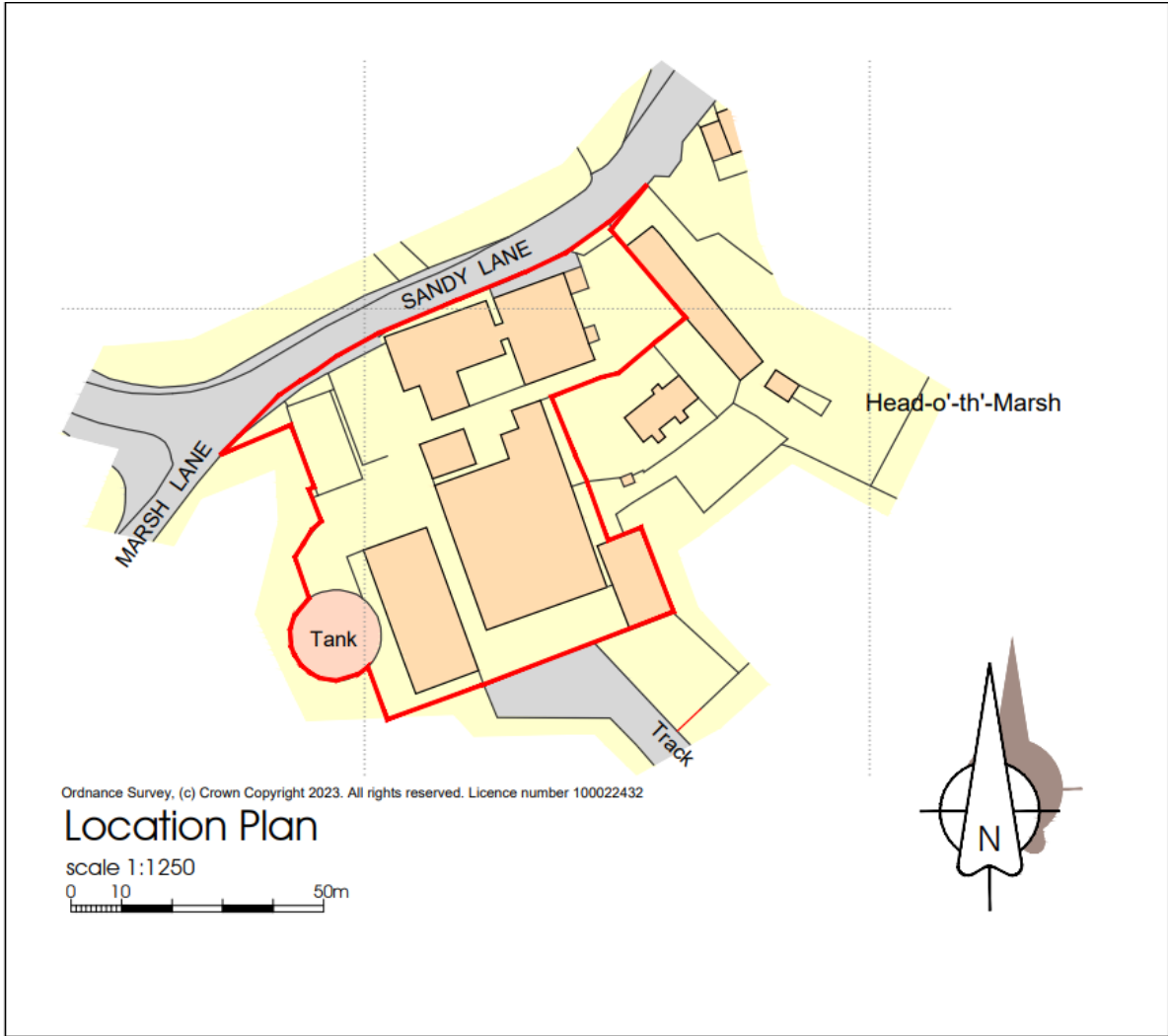
12. Work should be undertaken in line with the mitigation and biodiversity enhancement measures outlined in the 'Preliminary Ecological Assessment' carried out by Batworker Ecological Consultancy, received on 23 August 2023. If at any time any protected species are suspected of being present on the site, work should cease immediately, and an ecologist contacted.

*Reason: To safeguard protected species*

13. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis. The programme of archaeological work should comprise the creation of a record of the buildings to level 3 as set out in Understanding Historic Buildings (Historic England 2016). This work should be carried out by an appropriately professional contractor to the standards and guidance of the Chartered Institute for Archaeologists. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

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





This page is intentionally left blank

**APPLICATION REPORT – 23/00713/LBC**

**Validation Date: 23 August 2023**

**Ward: Clayton East, Brindle And Hoghton**

**Type of Application: Listed Building**

**Proposal: Application for listed building consent for the conversion of barn to form 4no. dwellings.**

**Location: Head O'th Marsh Farm Sandy Lane Brindle Chorley PR6 8PQ**

**Case Officer: Chris Smith**

**Applicant: Mr and Mrs R & CJ Ormisher**

**Agent: PWA Planning**

**Consultation expiry: 21 September 2023**

**Decision due by: 22 December 2023**

---

**RECOMMENDATION**

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

**SITE DESCRIPTION**

2. The application site is located within the Green Belt as defined by the Chorley Local Plan 2012-2026 on the southern side of Sandy Lane in the rural locality of Brindle. The site contains a cluster of buildings of varying age, type, and construction most of which have been used for agriculture and one for non-agricultural use. To the east the site is bounded by a building known as 'the Farmshop' which benefits from an extant planning permission to be converted to 2no. dwellings (ref. 22/00023/FUL). The grade II listed building Head O'th Marsh Farmhouse is also located immediately to the east of the site.
3. The immediate locality is predominantly rural characterised by agricultural land, farmsteads, and individual dwellings. The M65 is approximately 300m to the south of the site and the settlement of Brindle is approximately 1.3km to the south west.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks listed building consent for the conversion of a barn to form 4no. dwellings. The barn is located approximately 14m to the north west of the grade II listed dwelling Head O'th Marsh Farmhouse and due to its position within the residential curtilage of the dwelling it is a curtilage listed building.

**REPRESENTATIONS**

5. No representations have been received.

**CONSULTATIONS**

6. Brindle Parish Council – Have stated that they object to the proposed development for the following reasons:

- Traffic and highway safety.
- Impact on the Grade II listed property Head O'th Marsh Farm.
- Overdevelopment of the site which will create a small housing estate.
- Lack of infrastructure for the development.
- Insufficient parking provision.
- Design and materials would be out of keeping with the character of the area.
- Impact on the Green Belt.
- Building B does not constitute previously developed land.

### **PLANNING CONSIDERATIONS**

7. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes their setting. Local Planning Authorities (LPAs) should in coming to decisions consider the principal act, which states the following;
8. Listed Buildings - Section 66(1) in considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.
9. The National Planning Policy Framework (The Framework) at Chapter 16 deals with conserving and enhancing the historic environment. It sets out that in determining planning applications LPAs should take account of;
  - The desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
  - The positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
  - The desirability of new development making a positive contribution to local character and distinctiveness.
10. Paragraph 199 states that when considering the impact of proposals on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be applied. This is irrespective of whether any harm is identified as being substantial, total loss or less than substantial harm to its significance.
11. Paragraph 200 states that any harm or loss of significance to a designated heritage asset (from alteration or destruction or from development within its setting) should require clear and convincing justification.
12. Paragraph 202 states that where a development will lead to less than substantial harm to the significance of the heritage asset, this harm should be weighed against the public benefits of the proposal.
13. Paragraph 203 states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that directly or indirectly affect non-designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
14. The adopted Central Lancashire Core Strategy (2012) policy 16 (Heritage Assets) states: Protect and seek opportunities to enhance the historic environment, heritage assets and their settings by:
  - a) Safeguarding heritage assets from inappropriate development that would cause harm to their significances.
  - b) Supporting development or other initiatives where they protect and enhance the local character, setting, management and historic significance of heritage assets, with particular

support for initiatives that will improve any assets that are recognised as being in poor condition, or at risk.

c) Identifying and adopting a local list of heritage assets for each Authority.

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

a) Applications affecting a Heritage Asset or its setting will be granted where it:

- i. Is in accordance with the Framework and relevant Historic England guidance;
- ii. Where appropriate, takes full account of the findings and recommendations in the Council's Conservation Area Appraisals and Management Proposals;
- iii. Is accompanied by a satisfactory Heritage Statement (as defined by Chorley Council's advice on Heritage Statements) and;

b) Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following:

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

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

### **Assessment**

17. The key considerations in respect of the proposal on the heritage asset are:

1. Whether the proposed works would harm the significance of the curtilage listed buildings;
2. Whether the works taken as a whole would cause harm to the contribution made by the setting to the significance of Head O'th Marsh Farmhouse and;
3. If so, can the proposed works be justified by any public benefits delivered by the scheme?

18. As a group of buildings, it is considered that the barn, in particular the early stone element, and single storey stables contribute positively to the setting of the Farmhouse. These buildings frame the view of the Farmhouse which sits at the rear of the eastern section of the farmyard. The western section of the farmyard, including the later brick cattle shed which connects to the combination barn is of less interest and is largely visually separated from the Farmhouse.

19. The conversion of the stone barn would help to sustain its important relationship with the farmhouse, which lies to the south and the design and external treatments required in order

to facilitate the conversion would be appropriate. Proposed changes to the attached brick building on the western side would represent an improvement and any direct harm or loss of significance to the curtilage buildings would be minimal.

20. Any limited harm caused by the conversion works to the barn would be very low (less than substantial) in scale and it is considered that this harm would be outweighed by the benefits of providing a new sustainable use for the retained buildings and the improvements brought about to the immediate setting to the farmhouse. As the benefits provided by the scheme gained to the setting to the listed building outweigh the limited harm the development would meet the requirements of Chapter 16 of the NPPF and would be in accordance with Policies BNE1(e) and BNE8 of the Chorley Local Plan 2012-2026 and Policy 16 of the Central Lancashire Core Strategy.

## CONCLUSION

21. The less than substantial harm to the significance of the identified heritage asset would be outweighed by the public benefits of the proposal. The statutory duty to preserve is met and the application accords with the Framework at Chapter 16, Central Lancashire Core Strategy policy 16 and policy BNE8 of the Chorley Local Plan 2012 – 2026. Consequently, it is recommended that the application is approved, subject to conditions.

## RELEVANT HISTORY OF THE SITE

**Ref:** 83/00819/FUL **Decision:** PERFPP **Decision Date:** 23 January 1984  
**Description:** Proposed dairy unit and slurry store and relocation of septic tank

**Ref:** 91/00447/FUL **Decision:** PERFPP **Decision Date:** 9 July 1991  
**Description:** Erection of replacement store and animal housing unit with underground water store

**Ref:** 02/00210/FUL **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 02/00211/LBC **Decision:** WDN **Decision Date:** 8 October 2002  
**Description:** Listed Building Consent for demolition of existing rear porch and erection of replacement rear porch,

**Ref:** 06/00022/COU **Decision:** PERFPP **Decision Date:** 17 March 2006  
**Description:** Change of use from a redundant farm building to a farm shop and parking area in existing yard

**Ref:** 06/01273/COU **Decision:** PERFPP **Decision Date:** 9 January 2007  
**Description:** Retrospective application for the change of use from agricultural storage barn to the storage of up to 14 caravans

**Ref:** 11/00349/FUL **Decision:** PERFPP **Decision Date:** 15 June 2011  
**Description:** Construction of a temporary widened access and a temporary site compound in relation to maintenance works on the Thirlmere Aqueduct.

**Ref:** 13/00781/FUL **Decision:** PERFPP **Decision Date:** 14 November 2013  
**Description:** Barn conversion to single residential dwelling

**Ref:** 17/00861/FUL **Decision:** PERFPP **Decision Date:** 11 January 2018  
**Description:** Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage.

**Ref:** 19/00067/DIS **Decision:** PEDISZ **Decision Date:** 11 March 2019  
**Description:** Application to discharge condition nos. 4 (archaeological recording), 5 (scheme for foul sewers and surface water drainage) and 10 (boundary fences and walls) attached to

planning permission 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage).

**Ref:** 19/00776/FUL **Decision:** PERFPP **Decision Date:** 4 October 2019  
**Description:** Erection of three garages and associated works in relation to development approved by application 17/00861/FUL (conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/00708/DIS **Decision:** PEDISZ **Decision Date:** 1 October 2020  
**Description:** Application to discharge condition no.7 (fenestration and joinery details) attached to planning permission ref. 17/00861/FUL (Conversion of barn to form 2no. dwellings, including new access and erection of carport/garage)

**Ref:** 20/01107/FULHH **Decision:** WDN **Decision Date:** 21 June 2022  
**Description:** Single storey side extension with glazed link. Demolition of existing single storey kitchen/utility to rear and single storey side lean-to.

**Ref:** 20/01108/LBC **Decision:** WDN **Decision Date:** 21 June 2022  
**Description:** Application for listed building consent for 1) Single storey side extension with glazed link. 2) Demolition of existing single storey kitchen/utility to rear and single storey side lean-to. 3) Relocation of internal staircase.

**Ref:** 20/01114/FULMAJ **Decision:** WDN **Decision Date:** 22 December 2021  
**Description:** Conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 20/01115/LBC **Decision:** WDN **Decision Date:** 22 December 2021  
**Description:** Application for listed building consent for conversion of former farm shop building to form 2no. dwellings; conversion of barn to form 5no. dwellings; and erection of 4no. dwellings following demolition of various buildings

**Ref:** 22/00004/LBC **Decision:** APPRET **Decision Date:**  
**Description:** Removal of existing stone building, conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 22/00023/FUL **Decision:** PERFPP **Decision Date:** 28 February 2022  
**Description:** Conversion and extension of former farm shop to form 2no. dwellings

**Ref:** 23/00712/FUL **Decision:** PCO **Decision Date:**  
**Description:** Conversion of barn to form 4no. dwellings, erection of 3no. dwellings and detached car port (following demolition of 5no. existing buildings)

**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.

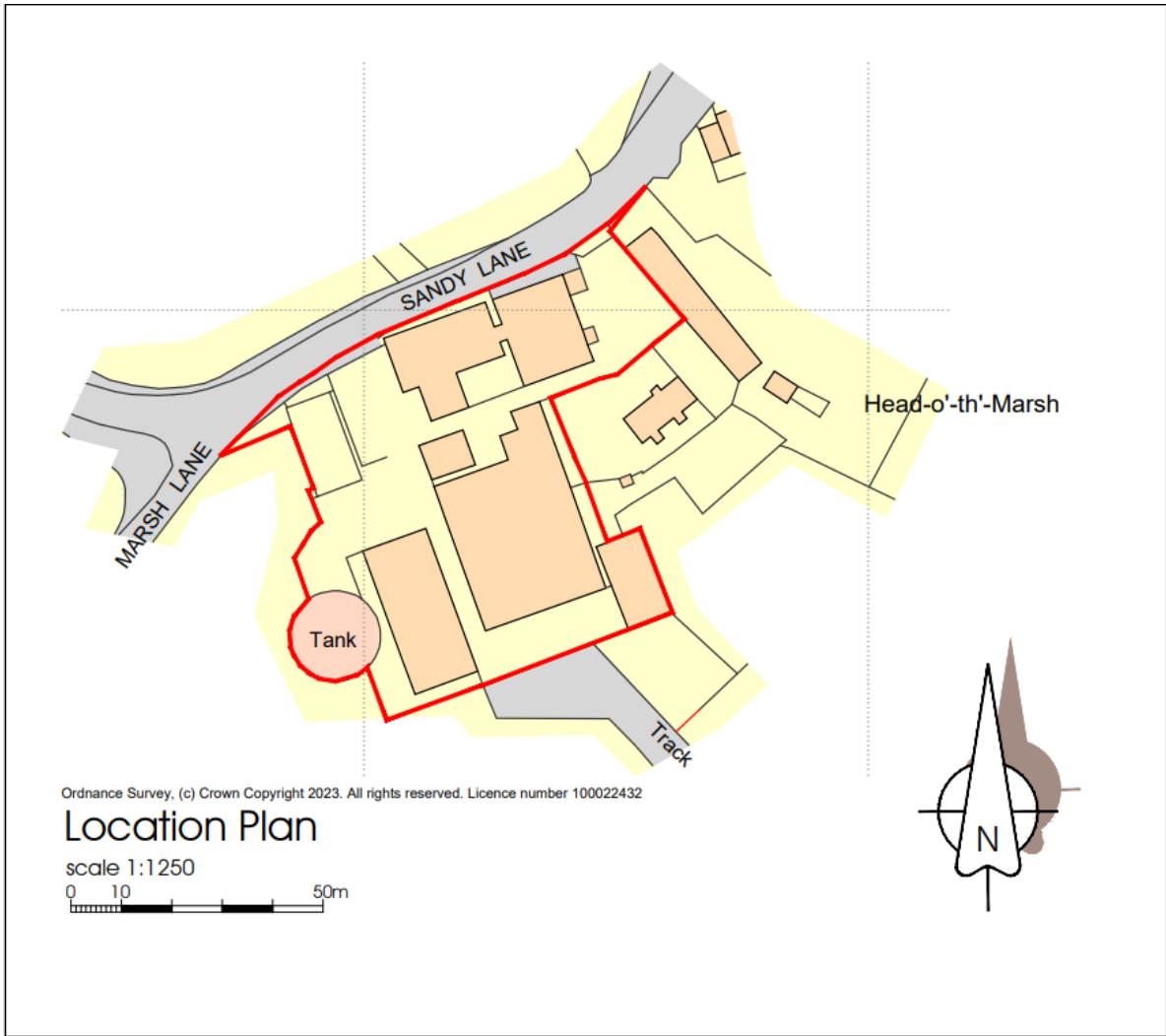
*Reason: Required to be imposed by Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.*

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

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	505 Revision B	23 August 2023
Proposed Site Plan	507 Revision D	11 December 2023
Building 4 Ground Floor and First Floor Plans	503 Revision A	23 August 2023
Building 4 Elevations	504	23 August 2023

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





This page is intentionally left blank

**APPLICATION REPORT – 23/00749/REM**

**Validation Date: 8 September 2023**

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

**Type of Application: Reserved Matters**

**Proposal: Application for reserved matters consent (appearance and landscaping) pursuant to outline planning permission 20/00816/OUT (Outline application for the erection of 5 dwellings including details of access, layout and scale following partial demolition of equestrian centre)**

**Location: Eccleston Equestrian Centre Ulnes Walton Lane Ulnes Walton Leyland PR26 8LT**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr & Mrs Norris**

**Agent: Miss Gabriela Da Amorim**

**Consultation expiry: 9 October 2023**

**Decision due by: 21 December 2023 (Extension of time agreed)**

---

**RECOMMENDATION**

1. It is recommended that reserved matters consent is granted for the details of appearance and landscaping, subject to conditions.

**SITE DESCRIPTION**

2. The application site comprises an expansive and long established equestrian centre located in the Green Belt on the east side of Ulnes Walton Lane. The application site is predominantly flat and is accessed from Ulnes Walton Lane, with a detached dwelling to the south side of the entrance and a large expanse of parking area between the entrance and equestrian facilities. Beyond the parking area are the equestrian centre buildings, which are set in a 'ranch style' with a covered pedestrian entrance to a central sand paddock. Around the sand paddock on all four sides are a mix of stables, indoor arena, a small set of offices, a small café, and a workshop. Beyond these is an outdoor circular walking/training structure.
3. The character of the area is largely open agricultural land with sporadic dwellings, agricultural buildings and equestrian developments. The development that does exist is generally positioned along and around the main highways.
4. It is noted that outline planning permission (ref. 20/00816/OUT) was granted for the erection of 5 dwellings including details of access, layout and scale following the partial demolition of equestrian centre in October 2020.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

5. This application seeks reserved matters consent, including details of appearance and landscaping, for the erection of 5 detached dwellings pursuant to outline planning

permission 20/00816/OUT, which was for the erection of 5 dwellings including details of access, layout and scale following partial demolition of equestrian centre. There would be detached garages at three of the dwellings.

### REPRESENTATIONS

6. No representations have been received.

### CONSULTATIONS

7. Greater Manchester Ecology Unit: No objection.
8. Lancashire Highway Services: No comments received.
9. Ulnes Walton Parish Council: No comments received.

### PLANNING CONSIDERATIONS

#### Principle of the development

10. The acceptability of the principle of the development has been established by the grant of outline planning permission for 5 dwellings and associated infrastructure, which was granted in October 2020.

#### Impact on character and appearance of locality

11. The National Planning Policy Framework (the Framework) attaches considerable importance to the need to achieve good design and a high-quality built environment. It states at paragraph 112 that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and the Chorley Local Plan (policy BNE1).
12. Policy 17 of the Core Strategy seeks to ensure that the design of new buildings takes into account the character and appearance of the local area, including among other things, linking in with surrounding movement patterns and not prejudicing the development of neighbouring land; and protecting existing landscape features and natural assets. The policy is considered to be consistent with the Framework and should be attributed full weight.
13. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, among other things, the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area; and that the proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses.
14. The application site is located the east of Ulnes Walton Lane and is set back from the lane to a similar extent as the dwelling at Walton Lodge and extends into the site perpendicular to the highway. The dwellings would be set out in a linear pattern across the first four plots between the site entrance to the west, adjacent to Ulnes Walton Lane, and into the area of the sand paddock. Plot 5 would be positioned to the south of the site between the existing dwelling and indoor riding arena. The access road would be positioned between the four plots and the existing dwelling and riding area to the south. The layout was approved at outline stage and is set out such that there is no frontage with Ulnes Walton Lane and the development would not be especially prominent from this highway or from public vantage points.

15. The scale of the proposed dwellings reflects the expectations of the outline planning permission with a volume of development that is broadly in line with the approval and is less than the volume of the buildings to be removed.
16. The prevailing dwelling types within the vicinity of the application site are detached two storey houses and bungalows, however, a wide range of design styles exist from the traditional to the modern. The proposed dwellings would be of a traditional design style and would comprise three different house types. The dwellings include a number of details such as front gables, stone heads and sills, front canopies and the use of stone and render. This results in a somewhat agrarian aesthetic, which is appropriate to the area. The associated garages would be of a commensurate scale and would be positioned logically throughout the site.
17. It is proposed that a number of trees, shrubs and hedgerows would be planted throughout the scheme. These are suitably positioned and would help to frame the development and soften its appearance. Boundary treatment would be kept to a minimum, thereby creating an open aspect.
18. On the basis of the above, the proposed development is appropriate in the context of the site and surrounding development and would not be detrimental to the character of the locality. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

#### Impact on neighbour amenity

19. 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.
20. The application site is relatively isolated from other dwellings, apart from Walton Lodge, which is within the site and in the ownership of the applicant. The proposed layout is such that there would be no adverse impact on the amenity of any existing or future occupiers by virtue of the positioning of the proposed dwellings and their scale. Given that the lawful use of the site is as an equestrian centre the proposed residential development would be more compatible with nearby residential land uses and would not generate the levels of noise and disturbance that could currently take place under the existing use.
21. It is not considered that there would be any detrimental impact on the amenity of the occupiers of nearby residential dwellings, whilst there would be no unacceptably detrimental impacts on the amenity of future occupiers. The development, therefore, is considered to comply with policy BNE1 of the Chorley Local Plan 2012 - 2026.

#### Highway safety

22. The application site has operated as a commercial equestrian centre for a significant period of time with vehicle movements occurring on a regular basis, and involving horse boxes and trailers. The extant use was taken into consideration in the assessment and approval of the outline planning application, which included matters of access.
23. Based on the car parking standards set out in the Chorley Local Plan Policy ST4 and appendix A, it is clear from the proposed layout that off-road parking provision necessary for each individual property can be achieved in line with the Council's adopted standard.
24. On this basis the proposed development meets with Chorley Local Plan policy ST4 as regards parking and is considered to be acceptable.

#### Ecology

25. A primary ecological appraisal, biodiversity enhancement plan and landscaping scheme have been submitted in support of the proposed development, which have been considered and assessed by the Council's ecology advisors the Greater Manchester Ecology Unit (GMEU).

26. In their response to the original outline application GMEU noted that a significant number of birds' nests had been recorded around the site (60 swallow nests and 12 pairs of house sparrow). As a result it was recommended that a compensation scheme for the loss of bird breeding habitats should be required as part of any future development. The landscape plans make sufficient provision for bird nesting, and are considered to be acceptable.
27. In addition to the compensatory measures required for nesting birds, further biodiversity enhancements were also encouraged. The submitted scheme includes the installation of two new permanent swallow shelters, four house sparrow terraces, two wall-mounted bat boxes, two hedgehog highways, one hedgehog house and measures to enhance the ditches to the north and south of the site. This is considered to be suitable and acceptable in the context of the existing site conditions and proposed development.
28. On this basis the proposed development is considered to comply with policy BNE9 of the Chorley Local Plan 2012 – 2026.

#### Flood risk and drainage

29. 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.
30. 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.
31. A surface water drainage scheme requiring robust evidence that the drainage hierarchy has been thoroughly investigated is required by a condition attached to the outline planning permission and is required to be submitted and approved in writing by the Local Planning Authority prior to commencement of development.

#### Community Infrastructure Levy

32. 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**

33. The submitted details of reserved matters are considered to be acceptable, and the application is recommended for approval, subject to conditions.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 20/00810/FUL **Decision:** PERFPP **Decision Date:** 5 October 2020  
**Description:** Erection of one detached dwelling

**Ref:** 20/00816/OUT **Decision:** PEROPP **Decision Date:** 7 October 2020  
**Description:** Outline application for the erection of 5 dwellings including details of access, layout and scale following partial demolition of equestrian centre

**Ref:** 21/00263/FUL **Decision:** PERFPP **Decision Date:** 6 May 2021

**Description:** Section 73 application to vary condition 3 (approved plans) attached to planning permission 20/00810/FUL (Erection of one detached dwelling) to reduce the scale of the approved dwelling

**Ref:** 21/00829/DIS **Decision:** PEDISZ **Decision Date:** 23 July 2021

**Description:** Application to discharge conditions nos. 5 (facing materials) and 9 (dwelling emission rate details) attached to planning permission 21/00263/FUL (Section 73 application to vary condition 3 (approved plans) attached to planning permission 20/00810/FUL (Erection of one detached dwelling) to reduce the scale of the approved dwelling)

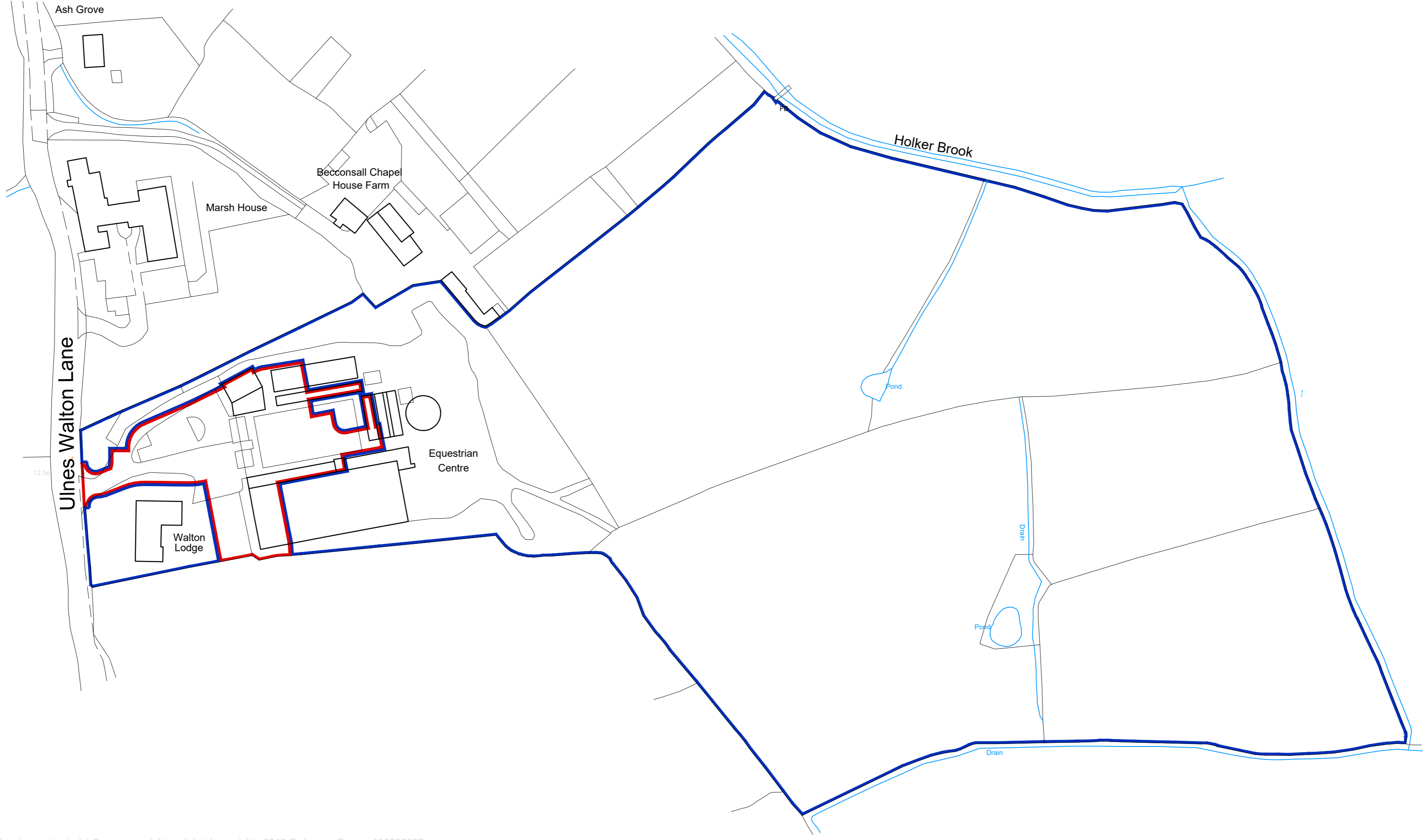
**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless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

No.	Condition																											
1.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="352 958 1337 1249"> <thead> <tr> <th data-bbox="352 958 746 992">Title</th> <th data-bbox="746 958 1034 992">Drawing Reference</th> <th data-bbox="1034 958 1337 992">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="352 992 746 1025">Location Plan</td> <td data-bbox="746 992 1034 1025">22/074/L01</td> <td data-bbox="1034 992 1337 1025">08 September 2023</td> </tr> <tr> <td data-bbox="352 1025 746 1059">Proposed Site Layout</td> <td data-bbox="746 1025 1034 1059">22/074/P01</td> <td data-bbox="1034 1025 1337 1059">08 September 2023</td> </tr> <tr> <td data-bbox="352 1059 746 1093">House Type A</td> <td data-bbox="746 1059 1034 1093">22-074-P02</td> <td data-bbox="1034 1059 1337 1093">08 September 2023</td> </tr> <tr> <td data-bbox="352 1093 746 1126">House Type B</td> <td data-bbox="746 1093 1034 1126">22-074-P03</td> <td data-bbox="1034 1093 1337 1126">08 September 2023</td> </tr> <tr> <td data-bbox="352 1126 746 1160">House Type C</td> <td data-bbox="746 1126 1034 1160">22-074-P04</td> <td data-bbox="1034 1126 1337 1160">08 September 2023</td> </tr> <tr> <td data-bbox="352 1160 746 1193">Double Garage (Stone)</td> <td data-bbox="746 1160 1034 1193">22-074-G01</td> <td data-bbox="1034 1160 1337 1193">08 September 2023</td> </tr> <tr> <td data-bbox="352 1193 746 1227">Double Garage (Render)</td> <td data-bbox="746 1193 1034 1227">22-074-G02</td> <td data-bbox="1034 1193 1337 1227">08 September 2023</td> </tr> <tr> <td data-bbox="352 1227 746 1249">Soft Landscaping</td> <td data-bbox="746 1227 1034 1249">Version - 1</td> <td data-bbox="1034 1227 1337 1249">08 September 2023</td> </tr> </tbody> </table> <p data-bbox="352 1279 1337 1312">Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Location Plan	22/074/L01	08 September 2023	Proposed Site Layout	22/074/P01	08 September 2023	House Type A	22-074-P02	08 September 2023	House Type B	22-074-P03	08 September 2023	House Type C	22-074-P04	08 September 2023	Double Garage (Stone)	22-074-G01	08 September 2023	Double Garage (Render)	22-074-G02	08 September 2023	Soft Landscaping	Version - 1	08 September 2023
Title	Drawing Reference	Received date																										
Location Plan	22/074/L01	08 September 2023																										
Proposed Site Layout	22/074/P01	08 September 2023																										
House Type A	22-074-P02	08 September 2023																										
House Type B	22-074-P03	08 September 2023																										
House Type C	22-074-P04	08 September 2023																										
Double Garage (Stone)	22-074-G01	08 September 2023																										
Double Garage (Render)	22-074-G02	08 September 2023																										
Soft Landscaping	Version - 1	08 September 2023																										
2.	<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 data-bbox="352 1525 1337 1559">Reason: To ensure that the materials used are visually appropriate to the locality.</p>																											
3.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p data-bbox="352 1827 1337 1861">Reason: In the interest of the appearance of the locality.</p>																											
4.	<p>The development hereby approved shall be carried out in accordance with the Biodiversity Enhancement Plan November 2023 Issue 1.0 produced by Tyrer Ecological Consultants Ltd and received on 08 November 2023.</p>																											

	Reason: To compensate for habitat loss that would occur as a result of the development.
--	---





Mapping contents (c) Crown copyright and database rights 2018 Ordnance Survey 100035207



Revision Notes:

CLIENT	Norris, Mr. & Mrs.				
PROJECT	Proposed Residential Development at Eccleston Equestrian Centre, Ulnes Walton Lane, Leyland, PR26 8LT				
DRAWING	Location Plan				
DRAWN	WA	DATE	28/08/23	NUMBER	22/074/L01
SCALE	1:1250	SHEET	A2	REVISION	-

**LMP ARCHITECTS**

213 Preston Road, Whittle-le-Woods, Chorley, Lancashire, PR6 7PS  
 Telephone: 01257 261555 | Website: www.lmparchitects.co.uk  
 Trading name of Lawson Margerison Practice Ltd. Registered in England and Wales No. 5597973 ©

This page is intentionally left blank

**APPLICATION REPORT – 23/00811/PIP**

**Validation Date: 29 September 2023**

**Ward: Chorley North East**

**Type of Application: Permission In Principle**

**Proposal: Permission in Principle application for the erection of 1no. dwelling.**

**Location: Land On The South Side Of Town Lane Whittle-Le-Woods Chorley**

**Case Officer: Daniel Power**

**Applicant: Mr Rob Jones**

**Agent: PWA Planning**

**Consultation expiry: 6 November 2023**

**Decision due by: 22 December 2023**

---

**RECOMMENDATION**

1. It is recommended that permission in principle is granted.

**SITE DESCRIPTION**

2. The application site is located on the southern side of Town Lane, at its junction with Dark Lane. The settlement of Wheelton is located approximately 350 metres to the east of the site, along Town Lane. The application site is within the Green Belt and currently an open field, with several mature trees along the boundary of the site and a low stone boundary wall along Town Lane.
3. On the southern side of Town Lane there are a number of detached dwellings, set back from the road within large plots. On the northern side and the wider area, there is a mixture of terraced, detached and semi-detached dwellings.

**DESCRIPTION OF PROPOSED DEVELOPMENT**

4. This application seeks permission in principle for the erection of one dwelling.

**REPRESENTATIONS**

5. Objections have been received from 20no. addresses and can be summarised as follows:
  - The proposal does not accord with the Chorley Local Plan.
  - Development on this land would lessen the open and rural character of the locality.
  - The development would cause harm to the Green Belt
  - The development represents inappropriate development.
  - There are no very special circumstances which justify the development and harm to the Green Belt.
  - Will not improve the economic or environmental conditions of the area and so will not prove to be sustainable development.

- Highway on Town Lane via the current dropped kerb is inappropriate due to the junctions of Copthurst Lane and Dark Lane.
  - The proposal does not represent 'infill' development.
  - If passed this Application would create a precedent.
  - The proposed area and volume of the house is far larger than other properties east and west on Town Lane and will be too dominant.
  - 280 dwellings have been permitted nearby, no further dwellings are needed.
  - It is recognised by National Government that green spaces are essential for both mental and physical health of the population, to take away more green spaces would be go against NHS and Government advice.
  - The development would have a harmful impact to road safety.
  - A tree has already been felled on the site.
  - The plot is disproportionate in size to the other dwellings to the east and west of the site.
  - Whilst the site may or may not be within a conservation area, it is next to one.
6. One letter of support has been received and can be summarised as follows:
- One nice home is better than the potential of multiple houses.

### CONSULTATIONS

7. United Utilities – No objections and suggested conditions be imposed relating to drainage details.

Conditions can't be imposed at this stage and these matters would be fully considered at technical details stage, where conditions could be imposed if required.

8. Whittle-le-Woods Parish Council – No comments have been received.

9. Lancashire County Council Historic Environment Team – have commented as follows:

A building named *Dalton Pits* is depicted on the 1st Edition 1:10560 Ordnance Survey, Lancashire Sheet 77, surveyed 1844-7, on the south side of Town Lane opposite the junction of Copthurst Lane with Town Lane. The building had been demolished by the time of the 1st Edition 1:2500 Ordnance Survey of 1893. Consequently, as the proposed development site is one with a known archaeological potential, which would need to be addressed during the determination of the application, we would wish for this requirement to be noted. We would also advise of the need for the HET to be consulted with a request for further advice on how to adequately mitigate the impact of the proposed development at the submission of technical details stage. It should be noted that the site is considered to be of a local significance only, and therefore not one that would merit preservation in situ, but rather preservation by record (archaeological excavation and recording).

### PLANNING CONSIDERATIONS

10. 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.”*
11. The majority of the neighbour comments/objections relate to technical matters that could only be assessed as part of any future detailed consent application and falls outside the scope of what the Council can assess as part of this current application, as set out in the above paragraph from the NPPG.

12. The application site is located within the Green Belt. The Framework states that the construction of new buildings should be regarded as inappropriate in the Green Belt, except in a limited number of specific circumstances.
13. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy 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
- f) land.

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

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

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

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

14. The application site is located outside the settlement area of Wheelton 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.”*

15. The proposed development of 1 no dwelling is considered to be small in scale and therefore complies with that element of Policy 1.
16. The application site is open land with no buildings or development on the site. The supporting Planning Statement submitted with the application seeks to engage with paragraph 145.e) of the Framework, the contention being that the site would represent limited infilling in a village.
17. 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.’*

18. The matter of ‘infilling’ has been the main issue for two recent appeals for similar applications in the borough. In their assessment of the appeal reference APP/D2320/W/21/3282134 (21/00557/PIP) following the refusal of permission in principle for the erection of up to two dwellings on a site with a width of 80 metres, the Inspector concluded that *‘the proposal would represent limited infilling in the Green Belt. It would therefore meet the exception at paragraph 149 (e) of the Framework thus would not therefore be inappropriate development in the Green Belt’*. In additional, the inspector in the consideration of appeal reference APP/D2320/W/21/3283978 (21/00744/PIP) for the erection of 1 no dwelling, with a plot width of 32 metres, concluded that the proposal would represent limited infilling in the Green Belt.
19. In considering whether the current application would amount to ‘infilling’ there are a number of detached dwellings on the southern side of Town Lane, some within large plots, set back from the road. The application site has a width of approximately 60 metres, which is less than applications allowed at appeal and similar to the neighbouring dwelling to the north west. Other than the application site, the street frontage is unbroken, with the proposed site area retaining the character of the area. Furthermore, there is nothing within national or local policy that restricts the number of dwellings that can be considered acceptable in relation to limited infilling. With regards to the sustainability of the application site, given the range of amenities available within walking distance, and the distance to settlement area to the northeast, it is considered the application site is in a sustainable location with the characteristics of a village. The proposal therefore represents limited infilling within a village.
20. Overall and on the basis of the recent appeal decisions, it is considered that the ‘principle’ of the proposed development of one dwelling is acceptable and in accordance with the Framework and Policy HS7 of the Chorley Local Plan 2012 - 2026.

**Other matters**

21. Objections have been received relating to highway safety impacts: this is not a matter that falls within the scope of consideration of the permission in principle consent stage. This would be addressed as part of the technical details consent, which is the second stage of the process.
22. An objection has been received stating that the application site is close to a Conservation Area and would therefore have a harmful impact to it. The site is not within or near a Conservation Area.
23. LCC Historic Environment have raised a number of matters relating to archaeological potential beneath the site. These matters can be considered fully at technical details consent stage.

**CONCLUSION**

24. The principle of erecting one dwelling at the application site is considered acceptable in terms of location, land use and the amount of development. It is, therefore, recommended that permission in principle is granted.
25. National Planning Practice Guidance (PPG) advises that it is not possible for conditions to be attached to a grant of permission in principle and its terms may only include the site location, the type and amount of development. Nonetheless, the PPG indicates that, unless some other period is justified, where permission in principle is granted by application, the default duration of that permission is three years. This will be added as an informative note to any grant of permission for this development.

**RELEVANT HISTORY OF THE SITE**

**Ref:** 94/00320/TPO **Decision:** WDN **Decision Date:** 14 July 1994

**Description:** Felling and pruning of trees covered by TPO No 5 Whittle le Woods 1992

**Ref:** 93/00847/FUL **Decision:** PERFPP **Decision Date:** 2 February 1994

**Description:** Erection of detached house

**Ref:** 89/00689/OUT **Decision:** PERFPP **Decision Date:** 28 November 1989

**Description:** Residential development

**Ref:** 80/00974/OUT **Decision:** PEROPP **Decision Date:** 20 October 1980

**Description:** Bungalow

**Ref:** 5/5/05391 **Decision:** WDN **Decision Date:** 3 December 1965

**Description:** Site for building contractors depot

**Ref:** 5/5/03860 **Decision:** WDN **Decision Date:** 21 December 1962

**Description:** Housing development

**Ref:** 75/01009/OUT **Decision:** PEROPP **Decision Date:** 1 March 1976

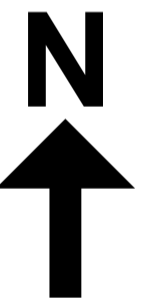
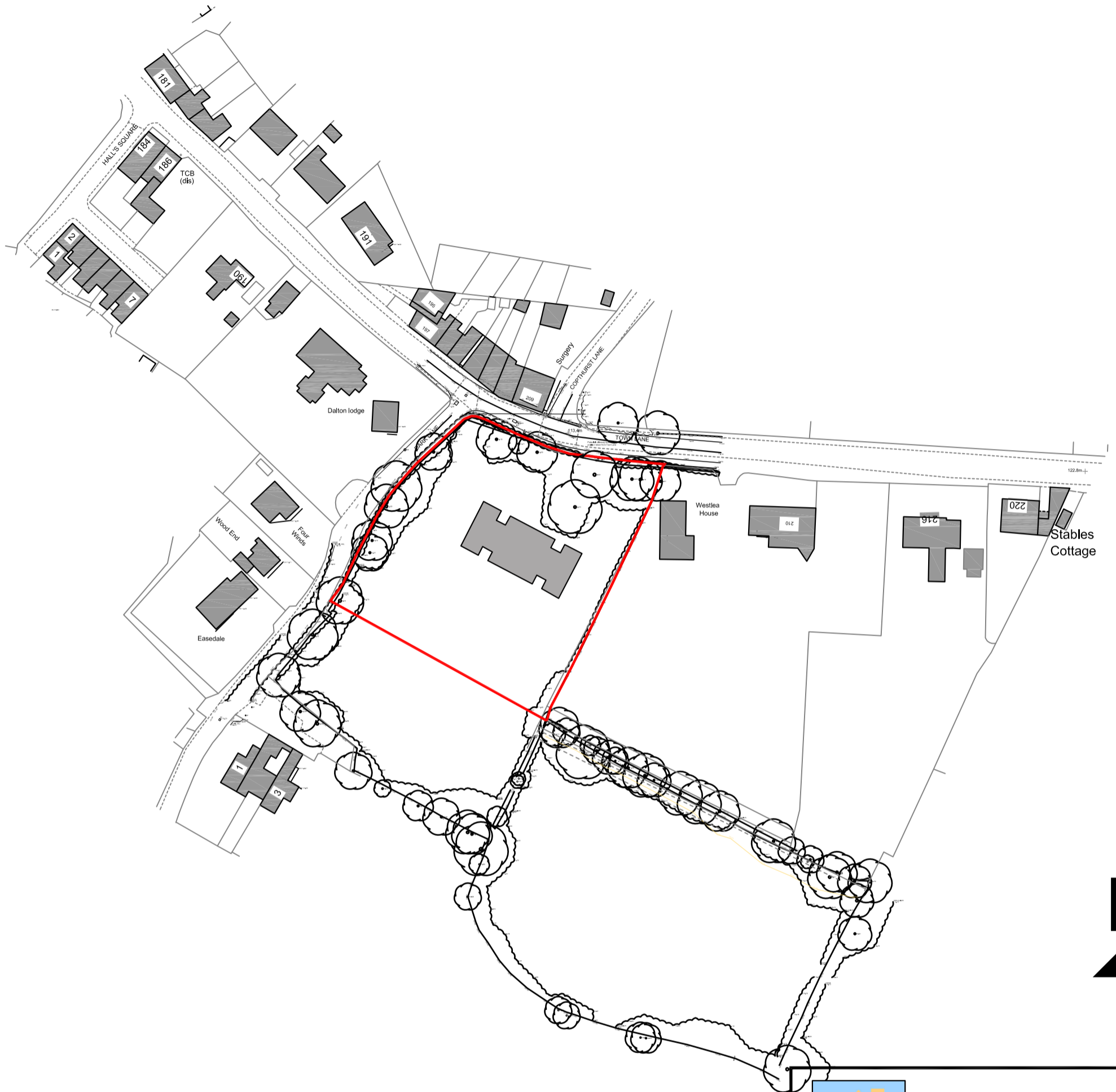
**Description:** Outline application for bungalow

**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

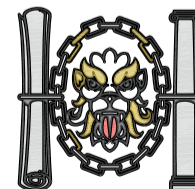
Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.



# Proposed New dwelling, TOWN LANE, Whittle le Woods



CIAT Registered practice  
 Stchstone, Brown House Lane, Higher Wheelton,  
 Chorley, Lancashire PR6 8HR  
**Tel: 01257 220510**  
 web: [www.bpdarchitecture.co.uk](http://www.bpdarchitecture.co.uk)  
 email: [info@betterplan.co.uk](mailto:info@betterplan.co.uk)



Chartered Institute of  
 Architectural Technologists

Project

Title

**Proposed Site Layout Plan**

Scale 1:1250 @ A3	Date August 2023	Ref 1150	Drawn MDB
----------------------	---------------------	-------------	--------------

Drg No <b>1150/TLW/SLP3</b>	Rev .
--------------------------------	----------

This page is intentionally left blank