

## **APPLICATION REPORT – 21/00635/REMAJ**

**Validation Date: 20 May 2021**

**Ward: Euxton**

**Type of Application: Major Reserved Matters**

**Proposal: Reserved matters application (appearance, landscaping, layout, and scale) for the erection of 131no. dwellings and associated infrastructure pursuant to outline planning permission ref: 19/00654/OUTMAJ / appeal ref: APP/D2320/W/20/3247136 (Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access)**

**Location: Land Between Pear Tree Lane And School Lane Pear Tree Lane Euxton**

**Case Officer: Johndaniel Jaques**

**Authorising Officer:**

**Applicant: Rowland Homes**

**Agent: Mr Louis Webb**

**Consultation expiry: 21 April 2022**

**Decision due by: 17 June 2022 (extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that the reserved matters are granted subject to conditions, and subject to the completion of a supplemental S.106 Unilateral Undertaking to ensure that the reserved matters application is bound by the agreement.

### **SITE DESCRIPTION**

2. The application site is located to the south and east of School Lane and to the east of Euxton. The site comprises five field compartments and the topography of the site is relatively flat and includes existing hedgerows and a small pond. The site is approximately 7.34 hectares in area.
3. The western edge of the site is predominantly bound by properties on School Lane and The Cherries. To the north the site includes an existing tree line that is on the south side of School Lane. To the north of School Lane is a residential development site that has been recently completed and to the east, the site is bound by Pear Tree Lane and residential properties, which includes Houghton House, a Grade II listed building. The southern boundary of the site is bound by a row of mature trees and hedgerows with Valley Park to the south.
4. School Lane is a non-classified road and is categorised as a local access road with a 20 mph zone extending from Wigan Road to approximately 20m west of Orchard Close. To the

west of this point School Lane is subject to the national speed limit of 60 mph. There are footways of variable width from Orchard Close west to Wigan Road. From Orchard Close east there are no footways and the road is of variable width with narrow single lane sections in what is essentially a lane of rural character.

5. The site is allocated as Safeguarded Land and contains a number of trees protected by Tree Preservation Orders both within it and along its boundaries.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. This is a reserved matters application with appearance, landscaping, layout and scale under consideration for the erection of 131no. dwellings and associated infrastructure pursuant to outline planning permission ref: 19/00654/OUTMAJ / appeal ref: APP/D2320/W/20/3247136.
7. Although not forming part of the application indicative details have been shown on the site layout for 18 self-build plots. These will be subject to a separate reserved matters application(s).

8. As part of the application, details have also been submitted to satisfy the requirements of some of the conditions attached to the outline planning permission as follows:

Condition no.5 which relates to a Landscape Retention, Creation and Management Plan.

Condition no. 6 which relates to a Lighting Design Strategy which demonstrates how sensitive ecological features and areas have been considered.

Condition no. 7 which relates to Reasonable Avoidance Measures (RAM) in respect of amphibians.

Condition no. 9 which relates to an Arboricultural Method Statement detailing how trees on site will be protected during the construction phase.

Condition no. 10 which relates to the provision of sufficient landscaping to screen the development from the nearby Listed Houghton House to the north east of the site, in line with the 2019 Heritage Statement.

Condition no. 11 which relates to site levels.

Condition no. 12 which relates to details of the position, layout and equipping of the public open space and play areas.

Condition no. 15 which relates to a programme of archaeological work.

Condition no. 16 which relates to a drainage strategy or the whole site.

Condition no. 25 which relates to details of the proposed access road which links School Lane with the southern boundary of the site.

9. The outline permission with all matters reserved except for means of access was granted on appeal subject to conditions and obligations contained within the S.106 Unilateral Undertaking on 11 August 2020 for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane.
10. Without prejudice to their views, the applicant has agreed to enter into a supplemental S.106 Unilateral Undertaking which the Council's legal section advise is necessary to ensure that the reserved matters application is bound by the agreement.

## **RELEVANT HISTORY OF THE SITE**

**Ref:** 16/00489/OUTMAJ **Decision:** REFOPP **Decision Date:** 8 December 2016

**Description:** Outline planning permission for up to 165 dwellings (30% affordable), planting and landscaping, informal open space, children's play area, surface water attenuation, 2 vehicular access points from School Lane and associated ancillary works. All matters to be reserved with the exception of the main site access

**Ref:** 19/00654/OUTMAJ **Decision:** REFOPP **Decision Date:** 13 November 2019

**Description:** Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access

**Ref:** 22/00113/DIS **Decision:** PDE **Decision Date:**

**Description:** Application to discharge condition no. 26 (construction of the site accesses and the off-site works of highway improvement) of planning permission ref: 19/00654/OUTMAJ / appeal ref: APP/D2320/W/20/3247136 (Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access)

**Ref:** 22/00239/DIS **Decision:** PDE **Decision Date:**

**Description:** Application to discharge condition no. 17 (surface water regulation system and means of disposal) of planning permission ref: 19/00654/OUTMAJ / appeal ref: APP/D2320/W/20/3247136 (Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access)

**Ref:** 22/00240/DIS **Decision:** PCO **Decision Date:**

**Description:** Application to discharge conditions nos.18 (engineering, drainage and constructional details for adopted roads) and 22 (construction management plan) of planning permission ref: 19/00654/OUTMAJ / appeal ref: APP/D2320/W/20/3247136 (Outline planning application for the erection of up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane. All matters reserved except for means of vehicular access)

## REPRESENTATIONS

11. At the time of report preparation 49 no. representations have been received and a petition containing 64 signatures. One of the representations is neither in support nor objecting to the proposals. The other representations cite the following objections which are summarised below, some of these are from the same objectors making further representations following being reconsulted on revised plans:

- Loss of village feel – Euxton is becoming a mass housing estate
- Overdevelopment
- Reducing housing numbers would make the self-build plots more attractive
- Loss of greenfield land
- There is enough new housing in the area
- Sets a precedent
- Undermines the concept of Safeguarded Land
- Surface water should not feed to the watercourse to the north of the site
- Overlooking
- Overbearing impacts and loss of light
- Loss of views

- Impact on security as gatherings may occur in open spaces leading to loss of amenity and privacy
- Impact on sewer if it is built over
- Impact on schools and services and the developer should be required to upgrade infrastructure
- Impact on highway safety including access being on a blind bend and flooding of and lack of street lighting to surrounding lanes
- Increased traffic on small lanes that cannot cope
- Impact on quiet walking routes
- Increased pollution
- Undermines quality of life and wellbeing
- Impact on wildlife and trees
- Dead trees on site should be replaced
- More natural screening and materials should be used
- The landscaping requires implementation timetables
- More bird and bat boxes should be provided and will they be retained?
- Will checks be made to ensure tree protection measures are adhered to?
- Insufficient green space provision
- Quality of housing will be poor
- Impact on Listed Building at Houghton House Farm
- Up to date and independent analysis should be undertaken of highways impacts and broadband to neighbouring areas
- Will checks be made to ensure sufficient affordable housing is provided?
- Will Council tax be reduced?

## **CONSULTATIONS**

12. Lancashire County Council Archaeology Service – No objections.
13. Parish Council – No comments received.
14. CIL Officers – Confirm that the development would be CIL liable and chargeable.
15. Environment Agency - No comments received.
16. Greater Manchester Ecology Unit – No objections.
17. Regulatory Services - Environmental Health - No objections.
18. Waste & Contaminated Land – Concerns raised regarding the original layout and bin collection points, but no comments received regarding latest layout. No objections regarding contamination.
19. Lancashire Highway Services – No objections.
20. Lead Local Flood Authority – No objections.
21. Police – No objections.
22. Trees – No objections.
23. United Utilities – No objections.

## **PLANNING CONSIDERATIONS**

### Principle of Development

24. The acceptability of the principle of the development of the site for up to 180 dwellings including 30% affordable housing, with public open space, structural planting and landscaping, surface water flood mitigation and attenuation and vehicular access points from School Lane has been established by the grant of outline planning permission at appeal in August 2020 (Ref: 19/00654/OUTMAJ / APP/D2320/W/20/3247136).
25. The principle of development is not for reassessment, only the details contained in the reserved matters application.

Impact on character and appearance of locality

26. The National Planning Policy Framework (the Framework) attaches considerable importance on achieving 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).
27. 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.
28. 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. 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. The policy is considered to be consistent with the Framework and should be attributed full weight.
29. The surrounding housing stock to the development site are a mix of bungalows and generally two storey brick and rendered or stone faced buildings in a varied mixture of built forms including detached, semi-detached and terraced properties with pitched roofs and some with details such as bay windows, and porches.
30. When considering any development proposal, the Council must be mindful of the Framework which at paragraph 126 states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It also says that good design is a key aspect of sustainable development. Paragraph 130 of 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.
31. 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.
32. The layout of the site is considered to have taken into account the natural constraints of hedgerows, trees and the pond that exists, and the areas of informal open space utilise

these features to ensure that the proposals would create an attractive environment. Hedgerows would only be removed to provide access across the site.

33. Details of the areas of informal open space and the Locally Equipped Area of Play (LEAP) have been provided in accordance with condition no.12 of the outline planning permission. The informal open space areas are spread across the site but focussed on its north south and eastern areas, and the total provision is 1.9 hectares which is in excess of the 1.75 hectares required under the outline planning permission Unilateral Undertaking. The proposals also contain a LEAP with a range of equipment and is 0.04 hectares in size, which meets the requirements of the outline planning permission Unilateral Undertaking. These areas would generally be overlooked by new properties which ensures that surveillance of them is maintained as advocated by design guidance, and therefore to refuse the application on the basis of security concerns as raised by objectors would not be warranted as part of this application.
34. The site area is 7.34 hectares and the proposal would deliver the equivalent of 20 dwellings per hectare (including the future self-build properties). The density of the development is lower than the original outline, however, it would be in-keeping with the density and character of development in the area and ensures that sufficient open space is provided and that important trees are able to be retained. Therefore, the overall scale of the development which is below the maximum permitted under the outline permission of up to 180 dwellings, is considered appropriate.
35. The layout incorporates a hierarchical road structure in line with that set out in the outline approval's Design and Access Statement. This incorporates a main spine road through the site which effectively creates a "new" School Lane and would mean that the existing stretch of School Lane would become an access only road, through the use of give-way signage and road markings making the new road the predominant route through the area. Secondary roads, accessways, private shared drives and private driveways would branch off the main road and the proposed units would be arranged in parcels of development around these. The main road width would be maintained along the road that leads towards the south east corner of the site and into the adjacent field and remainder of the designated "safeguarded" land to the south. This would enable this to become the main route serving any future development on the adjacent site in the ownership of Homes England and as required by condition no. 25 of the outline permission.
36. The proposed houses incorporate in-curtilage driveways, integral and detached garages and allocated car parking spaces.
37. In terms of their appearance, the proposed properties are of a simple contemporary design. A variety of house types is proposed and features such as bay windows and front gables, which are found in the wider area, would help to provide interest in the streetscene. Materials would include brick, render, and both red and grey roof tiles.
38. In terms of their scale they are generally two storey in height although some property types such as the Regency and Wallingford incorporate accommodation within the roof space so have a third floor, which varies the roofscape to provide further interest.
39. It is considered that the proposed dwellings would assimilate with the built form of existing dwellings in the area. In light of the above, the proposal would not be detrimental to the character and appearance of the locality.
40. The proposed development is considered to accord with Chorley Local Plan policy BNE1 in respect of design matters.

#### Impact on Heritage Assets

41. The principle statutory duty under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting.

42. Chapter 16 of the Framework sets out considerations relating to conserving and enhancing the historic environment.
43. 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.
44. Paragraph 200 states that any harm or loss of significance to a designated asset should require clear and convincing justification.
45. Paragraph 202 identifies that where a proposal would lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
46. Policy 16 of the Core Strategy and Policy BNE8 of the Chorley Local Plan 2012 -2026 deal with Heritage Assets.
47. The applicant has submitted an archaeological evaluation to address condition no. 15 of the outline planning permission, which did not encounter any features or finds of archaeological interest. Lancashire County Council Archaeology Service consider that this is acceptable and advise that no further archaeological work is considered necessary.
48. In the case of this proposal the key issue to consider is whether or not the proposed development would harm the relationship/setting to the Grade II listed Houghton House Farmhouse. The off-set distance from the nearest plot to the Listed Building and the additional landscaping proposed along the site boundary in this area accord with the requirements of condition no. 10 of the outline permission, would help to alleviate the issue of the impact of the proposal on the setting on the Listed Building. Although the harm would not be eliminated, the level of harm (to the significance of the building as a whole), would be at the lowest end of 'less than substantial'.
49. In accordance with Paragraph 202 of the Framework this less than substantial harm should be weighed against the public benefits accrued by the development.
50. When determining the outline application appeal the Inspector discussed the issue of the benefits of the proposal and weighed them against the less than substantial harm to the significance of Houghton House Farmhouse, which he determined would be at the lower end of the range of heritage harm. The Inspector went on to find that the combined effect of these benefits outweighed the less than substantial harm to the significance of the heritage asset and did not find that the appeal should be dismissed on the basis of the impact on the Listed Building.
51. The conclusions of the Inspector's finding remain, and the public benefits of the development outweigh the less than substantial harm to the significance of the nearby grade II listed heritage asset.
52. Therefore, the proposal would meet the objectives of the Framework set out at Chapter 16 and would accord with Policy EN8 of the Local Plan and Policy 16 of the Central Lancashire Core Strategy.

#### Impact on Neighbour amenity

53. 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.
54. It is noted there have been 49 neighbour objections to the proposed development.

55. Where proposed dwellings would face directly towards existing properties along the western site boundary they would be positioned at least 9m from the shared boundaries with the dwellings. The separation between the dwellings would vary but most would be more than 23 metres apart.
56. Some proposed properties would be set at an angle to the existing dwellings and in the case of plot 91 and its relationship with 40 School Lane which has a rear conservatory there would be a separation of more than 17 metres between these properties, and plot 91 would be positioned approximately 13 metres from the shared boundary. Separation between plot 87 and 88 and 1 the Cherries which has a rear conservatory, would be more than 21 metres with plot 87 being positioned approximately 11 metres from the shared boundary. Separation between plot 127 and 70 School Lane which has a rear conservatory, would be 15.5 metres, with 14 metres between plot 127 and the shared boundary, and 16.5 metres would be achieved between plot 128 and the same property, with more than 11 metres to the shared boundary. 70 School Lane also has substantial planting along some of what would be the shared boundary. The separation distances achieved and the positioning of these dwellings at an angle to the proposed buildings would ensure that a satisfactory relationship is achieved and would not be detrimental to neighbouring occupiers by virtue of overlooking, overshadowing or overbearing impact.
57. Other proposed plots that are adjacent the western site boundary would have windowless or non-habitable room windows in gable ends facing existing properties and in these cases the separation achieved is in excess of 18 metres. The minimum distance achieved in such cases is between plot 86 and no. 3 The Cherries where the separation distance is 18.9 metres.
58. Plot 1 which is the nearest plot to Houghton House Farm is in excess of 80 metres from it.
59. The degree of separation between proposed and existing dwellings and their relative positioning are such therefore that there would be no unacceptable impact on light, overshadowing, overlooking or loss of privacy on the occupiers of surrounding dwellings as a result of the proposal.
60. 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 and sufficient private amenity space for future occupiers to carry out day-to-day domestic activities.
61. In light of the above, it is considered that the proposal would be acceptable in terms of amenity impacts and accords with Policy BNE1 in this regard.

#### Impact on Highway safety

62. The proposed site accesses from School Lane have already been determined to be acceptable by the approval of the outline planning permission which sought detailed consent for access.
63. Parking spaces are proposed to serve the development by way of garages and driveway space. LCC Highways do not raise objections in relation to the car parking proposed, and this is therefore considered to be acceptable and accord with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
64. The Inspector considered the highway and traffic impacts of the proposed development at the outline application stage which he considered had been robustly assessed. He considered that subject to the implementation of various proposed highway improvements, the cumulative impact of the development on the road network would not be severe, and that the measures would improve the safety of School Lane and Pear Tree Lane for pedestrians, cyclists and drivers. Given that the outline application proposed up to 180 dwellings and this proposal is for 131 dwellings (with a further 18 self-build plots potentially



coming forward on the site in the future), it is likely that any highways impacts would be less than the impacts which were considered acceptable by the Inspector at outline stage.

65. Therefore, it is considered that the surrounding highway network could accommodate the uplift in traffic associated with the delivery of the dwellings and that the residual cumulative impacts on the road network would not be severe. It is also noted that LCC Highways have no objection to the proposed development. Although they recommend conditions all of those were imposed on the outline permission by the Inspector and therefore would not be required to be imposed again.

#### Affordable housing

66. The proposal includes the provision of affordable housing which accords with the requirements of the outline permission and would accord with the requirements of Core Strategy Policy 7. It would provide a total of 45 affordable units, being 30% of 149 dwellings, notwithstanding the fact that 18 of those are related to the future self-build housing plots. This will accordingly enable the future development of 18 dwellings, on the area identified for self-build housing, to proceed without any additional requirement for affordable housing. This level of provision accords with the requirements of Core Strategy Policy 7.
67. The tenure of the affordable housing would be 70% social rent and 30% shared ownership, which equates to a split of 32 social rent units and 13 intermediate housing units, which would need to be shared ownership units as secured in the original S.106 Unilateral Undertaking.
68. Of the affordable units, 20 no. would be 2 bed Waddington house types, 3 no. would be 2 bed Lowry house types, 2 no. would be 3 bed Burlington house types and 20 no. would be 3 bed Gladstone house types. Therefore, there would be a mix of house types and provision of both 2 and 3 bedrooled affordable properties on the site which meets the current affordable need.
69. The affordable units would not be concentrated in one area of the site, but would be clustered in the western and southern parts of the development, therefore ensuring that they would be assimilated into the wider development.
70. The proposals in relation to affordable housing are, therefore, considered to be acceptable.

#### Impact on Ecological interests

71. 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.
72. The application site consists of agricultural grassland with trees (some of which are protected) and hedgerows both within and to the site boundaries. As previously noted, the important trees are to be retained as are hedgerows except for sections that need to be removed to provide access through the site. The Council's Tree Officer considers that the latest plans are a considerable improvement compared to the original proposals with incursions into root protection areas of retained trees vastly reduced. In addition, more of the trees are now within areas of open space which should lead to reduced future pressures on them. The tree protection measures and arboricultural method statement accord with the requirements of condition no. 9 of the outline permission and are considered acceptable and subject to them being adhered to, retained trees would be appropriately protected. In relation to the objection asking whether tree protection measures would be checked, the onus is on the applicant to ensure compliance with conditions. If, however, complaints made to the Council's enforcement section, an investigation would be made in respect of an alleged breach.

73. The Council's appointed ecologists at Greater Manchester Ecological Unit (GMEU) have assessed the application and are satisfied with the proposal and recommend that the recommendations of the Reasonable Avoidance Measures for Amphibians should be implemented in full, and although this is required by condition no.7 of the outline permission, an appropriate condition is recommended to secure this for the avoidance of doubt. GMEU also recommend and that hedgehog highways are provided in the fencing to property boundaries. 17no. bat/bird boxes are to be provided and their implementation and retention could be controlled by appropriate condition. The control of lighting on the site as required by condition no. 6 of the outline permission would be in accordance with the submitted Lighting sensitivity and bats report and lighting layout plans.
74. In terms of the proposed landscaping details, extensive hedgerow, tree and other planting is proposed, and a management plan has been submitted to secure the phasing and future care of the landscaping measures in compliance with the requirements of condition no.5 of the outline permission which related to a Landscape Retention, Creation and Management Plan. The replacement of dead trees as suggested by an objector is not warranted. All of the landscaping details could be secured by planning condition.
75. The proposal is considered to comply with policy BNE9 of the Local Plan and is acceptable in terms of impacts upon nature conservation and trees.

#### Flood risk and drainage

76. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the Framework and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
77. 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.
78. When determining the outline application appeal the Inspector discussed flood risk. He considered that the proposal would not increase flooding elsewhere as it would incorporate a number of measures to ensure surface water run-off was managed. These included a sustainable drainage system (SuDS) with an attenuation basin in the south-west corner of site, the use of culverts under School Lane on the northern part of the site, and setting development levels across the site (as also required by condition no.11 of the outline permission which the applicant has provided details of) so that flows would be contained within the existing ditch systems and pond.
79. The application is supported by a Drainage Design Statement to satisfy the requirements of condition no.16 of the outline permission that has assessed the ground conditions of the site as being unsuitable for ground infiltration of surface water. It is, therefore, proposed to discharge surface water to an existing watercourse (Rushton's Brook) that runs along the southern boundary of the site. Previously under the outline application it was proposed that some drainage would connect to a ditch to the north of the site but this is no longer the case under the latest proposals, which addresses objectors concerns in relation to that.
80. The rate of discharge would be attenuated with the provision of a SuDS basin located in the southwest of the site. An oversized underground piped system would be provided in the site access roads with a flow control upstream of the basin. A further flow control would be provided on the outlet from the SuDS basin to restrict the flows to the proposed discharge rates.

81. Foul water is proposed to connect with the existing sewer to the south west of the site.
82. Implementation and management of the SuDS has been dealt with by the original S.106 Unilateral Undertaking.
83. It is considered that the drainage proposals would be acceptable, and it is noted that the Lead Local Flood Authority as well as United Utilities have not raised objections to the proposals.
84. An objection has been raised regarding the impact on a sewer if it is built over. United Utilities have confirmed that may not allow building over or in close proximity to a public sewer. It is the applicant's responsibility to demonstrate the exact relationship between any United Utilities' assets and the proposed development.

#### Community Infrastructure Levy

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

#### Other matters

86. The loss of views and a reduction in Council tax are not material planning matters.
87. Principle matters associated with the outline such as safeguarded land, building on greenfield land, need for housing etc, cannot be reconsidered as part of the reserved matters application, which relates to detailed matters only.

#### **CONCLUSION**

88. The submitted details of reserved matters are considered to be acceptable and the application is recommended for approval, subject to conditions and a supplemental legal agreement.

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

#### Suggested Conditions

To follow.