

## **APPLICATION REPORT – 21/01349/FULMAJ**

**Validation Date: 22 December 2021**

**Ward: Chorley North West**

**Type of Application: Major Full Planning**

**Proposal: Conversion of vacant public house including removal of some ground floor extensions and the erection of a part three storey / part four storey extension to form 18 assisted living apartments (Use Class C3)**

**Location: The Swan With Two Necks 1 - 3 Hollinshead Street Chorley PR7 1EP**

**Case Officer: Mike Halsall**

**Applicant: Primrose Holdings**

**Agent: BPD Architecture**

**Consultation expiry: 26 September 2022**

**Decision due by: 14 October 2022 (Extension of time agreed)**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. The application site relates to the grade II listed building of the Swan with Two Necks and surrounding land, located at the bottom of Hollinshead Street in Chorley town centre and St Laurence's Conservation Area. The main building is of three storeys and constructed of brick with stone dressings and a slate roof. It is believed to have been constructed as a dwelling in the early 19<sup>th</sup> Century and later converted to a public house with extensions added, thought to have occurred in 1980. The applicant states that the building has laid vacant for 11 years and has been subject to vandalism and trespass.
3. To the west is a steep embankment which rises up to Park Road, with pedestrian access gained via the cobbled path of Church Brow to the south of the application site. Railings along Church Brow and Park Road are also grade II listed, as is the War Memorial Gateway to Astley Park located on the other side of Park Road. The grade II\* listed Parish Church of St. Laurence is located to the south at a substantially higher land level than the application site and the grade II listed former gateway to St. Laurence's Churchyard is also located to the south at the bottom of Church Brow. The grade II listed Chorcliffe House is located to the south east, there are car parks located to the east and north and a more modern office block, further north. There is a small single-storey office building (Oaklands / 5 Hollinshead Street) located in the south eastern corner of the car park which does not form part of the application site. The building was formerly a double garage and was converted under planning permission 10/00036/COU approximately 10 years ago.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks full planning permission for the conversion of the vacant public house including the removal of the more modern extensions and the erection of a part four-storey, part three storey extension to form assisted living apartments. The proposal would provide

18 assisted living apartments, 17 of which would be one-bed and 1 would be a two-bed apartment.

5. The proposal has been revised since its original submission following comments received from statutory and non-statutory built heritage consultees, such as Historic England and The Georgian Group (albeit the Georgian Group response was submitted in relation the listed building consent application).
6. The initial planning submission showed a very contemporary looking flat roofed, red brick, box shaped extension to the listed building with cladding and modern windows. The entire extension was taller and much larger overall than the listed building, resulting in an unacceptable design that was not sympathetic or subservient to the listed building and harmful to the Conservation Area.
7. The revised proposal offers a much improved design by virtue of a reduction in height, the introduction of a modern glazed link connection between the old and new elements of the building, a reduction in the overall footprint of development, introduction of a Mansard roof with tile hanging outer finish and pitched roof dormer windows, stone coping, heads and cills, Georgian style windows and red brick to match the listed building. The number of proposed apartments has been reduced from 20 to 18 as a result in the reduction in height of the building.
8. The application is supported by an email from the proposed provider of the assisted living facility, My Space. The email states that the proposal is in a location where My Space would be interested in taking on the facility. They state they have an existing relationship with Chorley Council and have 37 people waiting for accommodation in the area. They expect this number would rise should planning permission be granted and the units are ready to let. They state: *"The service would be for adults who need support with their mental health/learning disabilities to help sustain a tenancy long term in the community. The site would be managed by one Housing Officer who would typically provide 3 hours support each week to every tenant. Further support offered is 24/7 security, if required, and also communication devices that all telephone support for mental well-being and reporting of maintenance issues."*
9. An application for listed building consent, ref. 21/01350/LBC, for the same development has been submitted to the Local Planning Authority in parallel with this application.

## REPRESENTATIONS

10. One neighbour representation has been received raising objection to the proposal in relation to issues of design, appearance, harm to the Conservation Area and car parking.

## CONSULTATIONS

11. Lancashire County Council Archaeology Service: has responded to state that the medieval settlement of Chorley is likely to have centred around the Church and market. Consequently, the proposed development site lies in an area likely to contain archaeological remains dating to the medieval and post-medieval periods. As a result, they recommend a condition is attached to any grant of planning permission requiring a written scheme of investigation to be submitted to the Local Planning Authority for approval and subsequent implementation.
12. Historic England: Initially responded to state that whilst they welcome the principle of bringing this important building back to use, considered that the initially proposed extension did not respect the form of the historic building and was overly dominant both in terms of scale and design. As a result, they considered it would harm the significance of the Swan with Two Necks, as an elegant 18th century [sic] building. It's cuboidal plan and mass would also negatively impact on the significance of the Conservation Area, and the contribution setting makes to the significance of the Grade II\* Church of St Laurence It's form and sizing would mean it would sit prominently in key views and affect how the Grade

II\* listed Church will be appreciated. It would also feature prominently in views out of Astley Park Registered Park and Garden of the wider Conservation Area.

Following the applicant discussing the proposal with Historic England and making revisions to the proposal, described earlier in this report, Historic England responded with no comments on the proposal. It is worth noting that Historic England do not provide 'no objection' responses, but it is reasonable to conclude that they are no longer opposing the proposal.

13. Historic Buildings and Places: have not responded on this occasion.
14. The Council for British Archaeology: have not responded on this occasion.
15. SPAB: have not responded on this occasion.
16. The Georgian Group: have not responded on this occasion.
17. The Victorian Society: have not responded on this occasion.
18. Twentieth Century Society: have not responded on this occasion.
19. The Gardens Trust: have responded to state they have no comments to make in relation to the proposal.
20. Lancashire Gardens Trust: have not responded on this occasion.
21. Greater Manchester Ecology Unit: has responded to state that, whilst evidence of bats roosting in the former public house has been recorded, as this is a low number of two common species, the development is very unlikely to negatively impact on the favourable conservation status of either species as long as adequate mitigation is put in place. They are confident Natural England will issue a license on suitable submission of a suitable protection and mitigation scheme. GMEU have therefore suggested a condition be attached to any grant of planning permission in this regard and also conditions to protect nesting birds and to secure biodiversity net gain.
22. Regulatory Services - Environmental Health Officer: has responded to state that they have no objection to the proposal and request that the construction work is undertaken in accordance with the Chorley Council Code of Practice for Construction and Demolition. This can be controlled by planning condition.
23. Waste & Contaminated Land Officer: has responded to request that, due to the sensitive end-use of the development (residential), the applicant submits a ground investigation and remediation strategy to the Local Planning Authority for approval via planning condition.
24. Lancashire Highway Services (LCC Highway Services): initially responded to request the submitted drawings be amended to show an additional disabled parking space, cycle parking and to remove sections of the site plan that they consider form part of the adopted highway. LCC Highway Services also requested a host of highway improvements in the vicinity of the application site, some of which the applicant has agreed to undertake, this is discussed in more detail later in this report. Some of the suggested improvements were considered inappropriate by the Local Planning Authority in heritage terms. LCC Highway Services therefore provided a further response to the proposal to state that they are of the opinion that the proposal does not promote sustainable transport. Whilst they consider the proposal is located in a sustainable location, they are of the opinion that the immediate topography surrounding the site make travel by sustainable means (i.e. cycling / walking) less attractive. They note however that these concerns do not amount to an objection to the proposal.

LCC highway Services has recommended conditions be attached to any grant of planning permission to secure highway improvement works and to agree the details of cycle storage.

25. Tree Officer: has responded to state that *“it is proposed to remove four trees to facilitate the development. While none of these trees are of particular importance arboriculturally, they do provide fairly high levels of visual amenity. T7 has been classified as a category B tree and should ideally be retained. If the development proceeds, the tree protection measures detailed in the AIA should be adhered to, to minimise damage to retained trees. Appropriate replanting should take place to replace lost amenity and biodiversity.”*
26. United Utilities: have responded to request conditions are attached to any grant of planning permission with regards to the sustainable drainage of the site and informative notes with regards to the protection of UU's assets that cross the site.
27. The Coal Authority: have responded with no objection to the and state they have revised the applicant's Coal Mining Risk Assessment, and this is sufficient to demonstrate that the application site is safe and stable for the proposed development.
28. Lead Local Flood Authority: initially responded in objection to the proposal due to lack of a sufficient level of detail with regards to the potential impacts of the development on surface water drainage. However, following further information being provided by the applicant in the form of a drainage plan and calculations, responded to the proposal with no objection, subject to conditions.
29. Environment Agency: have responded with no objection to the proposal and have requested that informative notes be added to any decision notice with regards to the culverted River Chor.
30. Lancashire Constabulary Designing Out Crime Officer: has responded with recommendations of security measures for the developer to implement in order to reduce crime.
31. Lancashire Fire and Rescue Service: have not responded on this occasion.
32. Lancashire County Council (Education): have responded to state that no education contribution is required from this development.

## **PLANNING CONSIDERATIONS**

### Principle of development

33. The application site is within a settlement area as shown on the Local Plan 2012-2026 policies map and is covered by Policy V2 which states that there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and the other policies and proposals within the plan. Chorley is also identified as a Key Service Centre in the Central Lancashire Core Strategy (Policy 1), where growth and investment is encouraged to help meet housing and employment needs. The proposal is therefore acceptable in principle, subject other material planning considerations and policies and proposals of the development plan, as discussed below.
34. The application would result in the loss of a public house, which is categorised as a community facility. Policy HW6 of the Chorley Local Plan 2012 - 2026 seeks to protect community facilities where they are serving local need. As previously noted, only one representation has been received in relation to this proposal and it makes no reference to the loss of the building as a pub. It is noted that there are many other public houses in close proximity to the site in the town centre. The property has been vacant for 11 years and although the loss of the public house is in some ways regrettable this reflects a general trend of such closures, with the premises having been made available for rent/sale since it became vacant. Information from the marketing agent states that:

*“Taylor Weaver have been marketing the above property for a number of years. During this marketing period we have received numerous enquiries for the property, the majority of*

*which have been looking to redevelop it for residential purposes. We have received no interest from parties looking to continue its use as a public house or restaurant.”*

35. In light of the above, it stands to reason that the public house is no longer viable, particularly given the cost of repairs and upgrades required to the building to bring it back into use. It is, therefore, considered that the loss of the public house is acceptable in this instance.

Impact on the listed building, conservation area and other designated heritage assets

36. Paragraphs 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the PLBCA) are relevant to the ‘*Special considerations affecting planning functions*’.

Section 66 states:

- (1) *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State 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.*
- (2) *Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal Act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*

Section 72 states:

*In the exercise, with respect to any buildings or other land in a conservation area, of any functions under or by virtue of any of the provisions mentioned in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

#### *Heritage Assessment*

40. The Council's heritage advisors, Growth Lancashire, have provided the following comments in relation to the revised proposals:

*"Whilst I acknowledge the changes made the scheme is still a substantial new addition to the listed building involves the creation of 5 apartments/flats within the existing retained main range of the former PH and the addition in a new block of 13 units to the car park (east) side of the building.*

*I note the changes in the design approach of the extension block since the original submission and the slight reduction in scale. The upper floor now being accommodated in a mansard type roof. The design approach is a move away from the original modern styled flat roofed block of the earlier versions.*

*Visually, whilst I am not opposed to the design approach as it responds to the key characteristics of the Conservation Area I would have preferred a design which provides a stronger and clearer distinction between it and the Listed PH and the other 'Georgian' buildings near by. The pastiche style is of limited value and rather emphasises the large scaled new addition. Regardless of the merits of the architecture I think the principle concern remains the scale/bulk of the new addition. The revised design has not resolved this matter and the issues relating to the effect on, and appreciation of the listed building, largely remain. Although I do acknowledge that the reduction in scale over part of the building, glazed connection between the buildings and the dropped eave and mansard roof design do help lower the level of visual harm.*

*Set against this visual harm I am mindful of the benefits gained from re-using the principle listed building and gaining a new and sustainable use. Also as with the previous iterations the proposals would involve the demolition of existing extensions of no importance which had an impact on the views of the eastern gable of the listed building.*

*I also note that the Georgian Society and Historic Buildings and Places, as two national amenity bodies, have both withdrawn their objections to the scheme. This will need to be material to the LPA weighing exercise and final decision. [It is worth noting that the Historic Buildings and Places response was submitted in response to the listed building consent application, rather than this full planning application].*

*Paragraph 6.1.3 of the Heritage Statement produced by Eden Heritage states that the proposals would cause less than substantial harm "provided the new build element is smaller in scale, and respects the historic fabric and built form of the surviving early 19th century properties on the street". I do not disagree and feel this scale matter remains the core issue as I do not feel the benefits accrued by the removal of the existing unsightly modern additions will necessarily be realised if the new extension simply blocks out any appreciation of the listed building and potentially makes the current situation worse.*

*In conclusion my comments made re the impact of the scheme in my original comments remain valid and I feel the revised scheme does not fully mitigate the concerns over the dominance of the new block. I still consider the scheme will cause harm to the architectural and historic value of the listed building and as a result also harm the character and appearance of the St Laurence's CA. The harm in both regards will be low/moderate less than substantial and will need to be assessed under P.202 of the NPPF.*

*Under P.202 it is down to the LPA to consider the wider public benefits of the proposal against the level of harm to the significance of the heritage assets affected in its planning balance, remembering that great weight should always be given to any identified harm to a designated heritage asset. Clearly in this instance there is considerable benefit in gaining the re-use of the vacant listed building and it seems likely that any re-use will involve some*

*adaptation and alteration. However in the absence of any sort of viability information it is difficult to assess whether this scheme would be the 'optimum viable use' for the listed building and site."*

41. Taking the above comments into account, it is clear that whilst the revised proposal is an improvement to the original planning submission, due to its scale, it would still be harmful to the architectural and historic value of the listed building and as a result also harm the character and appearance of the St Laurence's Conservation Area. This harm is of a low/moderate less than substantial scale and must be given great weight in the planning balance. The proposal therefore conflicts with the aforementioned policies that seek to sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment.
42. The Local Planning Authority must therefore consider the wider public benefits of the proposal against the level of harm to the significance of the heritage assets affected in its planning balance. As noted by the Council's heritage advisor, there is considerable benefit in gaining the re-use of the vacant listed building and it seems likely that any re-use will involve some adaptation and alteration. It is acknowledged that no viability / enabling development case has been submitted in support of the application. That said, the building has laid vacant for over 10 years, reportedly having suffered from vandalism and trespass and is clearly in need of substantial repairs. Given the length of time the building has laid vacant, it is considered significant weight should be attributed to its reuse as part of this proposal. The comments from the intended service provider indicates there is a strong need for this form of accommodation in the borough and they consider this site a suitable location for its provision. This should also be given significant weight in the planning balance. The proposed build would also deliver social and economic benefits from construction work and delivering human surveillance in an area of the town which suffers from anti-social behaviour.
43. On balance it is considered that the benefits of the proposal outweigh the harm caused to the listed building and Conservation Area.

#### Impact on trees

44. Policy BNE10 (Trees) stipulates, among other things, that proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.
45. An Arboricultural Impact Assessment (AIA) accompanies the application. It details that it would be necessary to remove four trees to enable the development. The Council's tree officer has identified that one of these is worthy of retention due to its amenity value. Due to its location in close proximity to the proposed extension, this would not be possible. Trees to be retained would be required to be protected during site works and this can be controlled by planning condition. A landscaping plan would also be required by condition to compensate for the loss of trees. The proposal is considered to be acceptable in this regard and complies with the above policy.

#### Highway safety

46. 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.



47. Policy ST1 (New provision of Footpaths, Cycleways, Bridleways and their associated facilities in existing networks and new development) 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.
48. Policy ST4 of the Local Plan 2012-2016 sets out the Council's parking standards. There is no specific standard for an assisted living facility. Standard apartments require one space for one-bed and two spaces for two-bed apartments, which would require 21 spaces, whereas sheltered accommodation requires one space per three beds, which would require 7 spaces. However, it is not considered that either of these uses accurately reflects the type of development proposed. It is considered that car ownership amongst residents is likely to be low, especially given the location in the town centre. That said, the proposal would provide 20 spaces, including one disabled space, this is considered to be acceptable.
49. Lancashire County Council is the Local Highway Authority that manages and maintains the highway network in Lancashire and promotes safe travel and developments in accessible and sustainable locations within the county. As such, at certain stages in the planning process Chorley Council formally seeks the views of the County Council as a statutory consultee to assist in making an informed decision about proposed development.
50. As explained earlier in this report, LCC Highway Services requested improvements to the highway as part of the proposal. These requested improvements are summarised below:
  - Raise a dropped kerb to the front of Oaklands, to the south east of the application site;
  - Raise a dropped kerb to the north of Hollinshead Street and south of the application site and to extend the footway to Church Brow
  - Reduce the gradient of Church Brow, remove the steps and replace the cobbles with a non-slip tarmac surface so it can be used by wheel/push chair users, motorised scooter users, parents with prams, people with mobility difficulties and cyclists.
51. The applicant responded to the above requested improvement measures to state that:
  - the kerb to the front of Oaklands does not relate to the application site and the owners may wish to reinstate this to a garage at some point.
  - They agree to reinstate the footway to the south of the site.
  - The cobbled surface of Church Brow contributes significantly to the heritage value within the Conservation Area and it would be a substantial loss to the character area to replace this with tarmac. They also state there is a more direct route to amenities along Fellery Street.
52. The Local Planning Authority are in agreement with the applicant's points in relation to Church Brow and the dropped kerb to the front of Oaklands. The agreement to reinstate and improve the footway connection to Church Brow is welcomed, particularly, as LCC Highway Services have stated, the low kerbs are encouraging unauthorised parking causing obstructions to pedestrians.
53. As noted earlier in this report, LCC Highway Services are of the opinion that whilst the proposal is in a sustainable location, the immediate topography surrounding the site make travel by sustainable means (i.e. cycling / walking) less attractive. LCC Highway Services have confirmed that this issue is not so significant as to result in them objecting to the proposal and have recommended conditions to be attached to any grant of planning permission.
54. The proposal site would offer a choice of transport options. For those who wish to walk or cycle to the amenities in the town centre or other locations, this would be achievable. The occupants would not be car dependent. There would also be sufficient parking for those wishing to drive.

55. The applicant would be expected to enter into a S278 agreement to secure the reinstatement of the footway on the north side of Hollinshead Street, to the south of the site.
56. In light of the above, on balance, it is considered that the highway safety and parking related aspects of the proposal are acceptable and comply with the aforementioned policies.

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

57. 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.
58. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, 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.
59. When considering any development proposal, the Council must be mindful of 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.
60. 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.
61. The removal of the modern single storey extensions and restoration of the listed building are welcomed and would be an enhancement to the character and appearance of the site and the wider area. There is no denying that the proposed extension to the building would be a prominent feature in the street scene, particularly when viewed from Hollinshead Street. As outlined in the heritage assessment above, the scale of the proposal would result in harm to the character and appearance of the St Laurence's Conservation Area.
62. In light of the above, the proposal would harm the character and appearance of the locality due its impacts upon the Conservation Area, although this harm would be less than substantial. The development, therefore, conflicts with the above referenced policies of the Chorley Local Plan and Central Lancashire Core Strategy in this regard.

#### Impact on amenity

63. 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.

64. With regards to noise, dust and other pollution during the construction period, these would be short in duration and limited in intensity. Such impacts could be adequately controlled through the requirement to comply with the Council's Code of Practice for Construction and Demolition. This can be required through the imposition of a planning condition.
65. The only residential uses in proximity to the application site are at Chorcliffe House, although there are also offices to the north. The orientation and separation distance of the buildings compared to that of the proposed extension means there would be no harm to residential amenity as a result of the proposal through loss of privacy, overshadowing or overbearing.
66. In light of the above, it is considered that the proposal is acceptable in terms of amenity impacts and accords with national policy and policy BNE1 of the Chorley Local Plan in this regard.

#### Drainage and flood risk

67. Policy 29 (Water Management) of the Core Strategy seeks to improve water quality, water management and reduces the risk of flooding in a number of ways including, among other things, appraising, managing and reducing flood risk in all new developments. The policy is considered to be consistent with the Framework and should be attributed full weight.
68. The site is in Flood Zone 1 (the lowest risk) as identified by the Environment Agency. Site drainage plans have been submitted in support of the planning application that identifies that both surface and foul water would be drained into an existing combined sewer that crosses the application site.
69. The Planning Practice Guidance (PPG) establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. Generally, the aim should be to discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:
  - into the ground (infiltration);
  - to a surface water body;
  - to a surface water sewer, highway drain, or another drainage system;
  - to a combined sewer.
70. The submitted drainage plan identifies that the existing surface water and foul drainage are currently served by the existing combined sewer system. Both the foul and combined sewer network passes beneath the car park of the site. The proposal is to separate the drainage systems with foul water going to the foul sewer and surface water to the combined sewer at an attenuated rate via a hydrobrake.
71. The submitted drainage plan identifies that no soil infiltration testing has been undertaken as the positioning of the existing and proposed buildings places any permissible soakaway within the car park nestling between both existing sewers and their respective easements. The available area is limited and excavating at depth, possibly below the invert of the adjacent sewers is not going to be a viable solution.
72. Following the receipt of additional information in the form of an updated drainage plan and associated surface water attenuation calculations, the Lead Local Flood Authority (LLFA) have responded with no objections to the proposal, subject to conditions.
73. The conditions requested by the LLFA require, amongst other things, the full details of the surface water drainage strategy to be submitted to the Local Planning Authority for approval and to be subsequently implemented. As such, the proposal is considered to be acceptable

with regards to drainage and flood risk and complies with the aforementioned related policies.

#### Impact on ecological interests

74. 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.

#### Bats

75. The building to be extended and converted was visually assessed for bats and three emergence surveys carried out at a suitable time of year by an experienced bat consultant. The presence of a low number of common pipistrelle and brown long-eared bats roosting in the building was confirmed. It was confirmed that the roosts would be lost as a result of the development. The developer will therefore require permission from Natural England for the development.
76. As noted earlier in this report, the Council's ecological advisors have identified that as a low number of two common species has been recorded, the development is very unlikely to negatively impact on the favourable conservation status of either species as long as adequate mitigation is put in place. They are confident Natural England will issue a license on suitable submission of a suitable protection and mitigation scheme. GMEU have therefore suggested a condition be attached to any grant of planning permission requiring that either a license from Natural England is forwarded to the Local Planning Authority or a statement to explain why a license is not required is submitted for approval, prior to works to the listed building commencing.

#### Nesting birds

77. No evidence of birds nesting in the building to be converted was recorded by the applicant's consultant, but it was assessed as having bird nesting potential. Tree and shrubs will also be lost which are potential bird nesting habitat. All British bird nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981, as amended. The Council's ecological advisors have therefore requested a condition be attached to any grant of planning permission requiring that works take place outside of bird nesting season, unless a bird nesting survey has first been undertaken to confirm the absence of nests.

#### Ecological enhancements

78. The development will result in the loss of trees, bat roosting and bird nesting opportunities. Mitigation for loss of bat roosting habitat will be determined by the Natural England license. The Council's ecological advisors have recommended replacement tree planting and provision of a least two bird boxes on the retained trees or new build. The details can be agreed via a suitably worded planning condition.

#### Ecology summary

79. The proposal is considered to be acceptable in terms of its impacts upon ecological receptors, subject to conditions to safeguard protected species and the implementation of biodiversity enhancement measures. The proposal is considered to be acceptable with regards to potential impacts upon ecological receptors and complies with policy BNE9 of the Chorley Local Plan 2012-2026.

### Land Stability / Coal Mining Legacy

80. The application site is located within a Development High Risk Area for historic coal mining. Paragraphs 183 and 184 of the Framework require applicants to demonstrate to the satisfaction of the LPA that the application site is safe, stable and suitable for development.
81. Policy 17 of the Central Lancashire Core Strategy requires that proposals ensure that contaminated land, land stability and other risks associated with coal mining are considered and, where necessary, addressed through appropriate remediation and mitigation measures.
82. Policy BNE7 of the Chorley Local Plan 2012-2026 seeks to ensure that development on unstable or potentially unstable land is fully investigated and remediated where necessary to ensure it is safe for developing.
83. The applicant has submitted a Coal Mining Risk Assessment which is based upon a Coal mining Report produced by the Coal Authority. The Report identifies the following:
  - No past underground mining recorded;
  - No probable unrecorded shallow workings;
  - No spine roadway recorded at shallow depth;
  - No recorded mine entries within 100 metres of the site boundary;
  - No faults, fissures or breaklines recorded;
  - No opencast mines recorded within 500 metres of the site boundary;
  - No site investigations recorded within 50 metres of the site boundary;
  - No mine gas recorded within 500 metres of the enquiry boundary;
  - No future underground mining activity.
84. The assessment identifies that the site has a low risk from past or future impacts from coal mining instability. The Coal Authority has no objection to the proposal. It is considered that the proposal complies with the aforementioned paragraphs of the Framework and policy BNE7 of the Local Plan and policy 17 of the Core Strategy with regards to site stability. Issues relating to contaminated land are addressed below.

### Contaminated Land

85. The Council's Waste and Contaminated Land Officer has responded to request that, due to the sensitive end-use of the development (residential), the applicant submits a ground investigation and remediation strategy to the Local Planning Authority for approval via planning condition. It is therefore considered that the proposal complies with policy 17 of the Core Strategy with regards to contaminated land.

### Affordable Housing

86. Policy 7 of the Core Strategy sets out a 30% requirement for affordable or special needs housing for developments in urban parts of Chorley. The development is for 100% assisted living accommodation which is a form of special needs housing. The proposal is therefore in accordance with this policy.
87. Policy 7 also requires special needs housing to be well located in communities in terms of reducing the need to travel to care and other service provision and a proportion should be affordable. The proposed development is located within Chorley town centre close to shops and other local services.
88. The units will cater for adults who need support with their mental health/learning disabilities to help sustain a tenancy long term in the community. This will potentially free up existing housing stock, encouraging new residents to the area, increasing the overall diversity of the local area, as well as promoting investment in the district. The proposal is considered to be

acceptable in this regard and a condition will be attached to any grant of planning permission requiring that the units are only available to special needs occupants.

#### Public open space (POS)

89. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
90. Normally financial contributions towards the cost of green space and playing pitches are required for a development of this size in this location. However, the proposal is not considered to be open market housing, but rather specialist accommodation, primarily for adults who need support with their mental health/learning disabilities to help sustain a tenancy long term in the community. Additionally, the site is located in close proximity to Astley Park which has an extensive area of green open space with play areas and sports pitches. It is not, therefore, considered to be a type of development that is required to make such a contribution.

#### Employment skills provision

91. 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
92. It is, therefore, recommended that a condition requiring an employment and skills plan is attached to any grant of planning permission.

#### Community Infrastructure Levy

93. 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**

94. The recommendation is finely balanced as the proposal would be harmful to the architectural and historic value of the listed building and would harm the character and appearance of the St Laurence's Conservation Area.
95. On balance it is considered that the wider public benefits of the proposal in the form of bringing a long-term vacant listed building back into use, delivering a much needed form of accommodation in a sustainable location and its associated social and economic impacts, outweigh the harm caused by the proposal.
96. The proposal accords with the aims of policies within the Framework and the Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that

the proposed development would not give rise to undue harm to the amenities of neighbouring residents, highway safety or flood risk and would not pose a risk from land instability or contaminated land and is accordingly recommended for approval.

## RELEVANT HISTORY OF THE SITE

- Ref:** 07/00274/FUL **Decision:** WDN **Decision Date:** 25 May 2007  
**Description:** Proposed siting of 5 no. gazebos to the area to the front of the public house.
- Ref:** 07/00631/FUL **Decision:** REFFPP **Decision Date:** 24 July 2007  
**Description:** Proposed siting of 5no. gazebos to the area to the front of the public house.
- Ref:** 07/01156/FUL **Decision:** PERFPP **Decision Date:** 3 December 2007  
**Description:** Changing existing first floor window to doors, the addition of a balustrade to a first floor balustrade wall and the erection of wooden trellis barriers on the front curtilage.
- Ref:** 07/01157/LBC **Decision:** PERLBC **Decision Date:** 3 December 2007  
**Description:** Listed building consent for changing existing first floor window to doors, the addition of a balustrade to a first floor balustrade wall and the erection of wooden trellis barriers on the front curtilage.
- Ref:** 5/1/01394 **Decision:** PERFPP **Decision Date:** 3 May 1960  
**Description:** Erection of lock-up garage.
- Ref:** 5/1/01395 **Decision:** PERFPP **Decision Date:** 3 May 1960  
**Description:** Erection of lock-up garage.
- Ref:** 5/1/01396 **Decision:** PERFPP **Decision Date:** 3 May 1960  
**Description:** Erection of lock-up garage.
- Ref:** 5/1/01647 **Decision:** PERFPP **Decision Date:** 6 June 1961  
**Description:** Erection of lock-up garage.
- Ref:** 21/01350/LBC **Decision:** PCO **Decision Date:**  
**Description:** Application for listed building consent for conversion of vacant public house including removal of some ground floor extensions and the erection of a four storey extension to form 20 assisted living apartments (Use Class C3)
- Ref:** 94/00646/LBC **Decision:** PDLBC **Decision Date:** 5 October 1994  
**Description:** Listed building consent for internal alterations
- Ref:** 91/00173/LBC **Decision:** PERFPP **Decision Date:** 2 April 1991  
**Description:** Listed building application for the dismantling of boundary wall to accommodate major drainage works
- Ref:** 91/00172/FUL **Decision:** PERFPP **Decision Date:** 2 April 1991  
**Description:** Re-erection of boundary wall (with original materials) following its removal to accommodate drainage works
- Ref:** 91/00171/LBC **Decision:** PERFPP **Decision Date:** 2 April 1991  
**Description:** Listed building application for the dismantling of boundary wall to accommodate major drainage works
- Ref:** 91/00170/FUL **Decision:** PERFPP **Decision Date:** 2 April 1991  
**Description:** Re-erection of boundary wall (with original materials) following its removal to accommodate drainage works
- Ref:** 91/00169/TPO **Decision:** PERTRE **Decision Date:** 2 April 1991

**Description:** Removal of tree 19 covered by TPO No.3 (1980) Chorley to allow drainage works to be carried out

**Ref:** 87/00180/FUL **Decision:** PERFPP **Decision Date:** 7 April 1987  
**Description:** Setting out area on land opposite swan with two knecks remedial work to wall running parallel to church steps and demolition/rebuilding of stone archway

**Ref:** 86/00059/ADV **Decision:** PERFPP **Decision Date:** 18 March 1986  
**Description:** Illuminated signs

**Ref:** 80/00866/ADV **Decision:** PERADV **Decision Date:** 20 October 1980  
**Description:** Two logos and wooden letting

**Ref:** 79/00378/FUL **Decision:** PERFPP **Decision Date:** 11 June 1979  
**Description:** See enforcement 115

**Ref:** 79/00377/FUL **Decision:** PERFPP **Decision Date:** 11 June 1979  
**Description:** Extension and alterations to form public house, restaurant and staff accommodation

**Ref:** 79/00157/FUL **Decision:** PERFPP **Decision Date:** 19 March 1979  
**Description:** Double garage

**Ref:** 77/00709/DEMCON **Decision:** WDN **Decision Date:** 18 October 1977  
**Description:** Demolition of Listed Building

**Ref:** 79/00756/ADV **Decision:** PERADV **Decision Date:** 12 November 1979  
**Description:** Projecting Public House Sign (non illuminated)

**Ref:** 77/00754/FUL **Decision:** WDN **Decision Date:** 26 December 1977  
**Description:** Minor alterations to form restaurant

**Ref:** 77/00746/FUL **Decision:** WDN **Decision Date:** 26 October 1977  
**Description:** Proposed restaurant and public house

**Ref:** 74/00877/FUL **Decision:** WDN **Decision Date:** 18 December 1974  
**Description:** 8 storey high building: Offices, Restaurant & Conference Centre

**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 and legislation in the Planning (Listed Buildings and Conservation Areas) Act 1990. The specific policies/ guidance considerations are contained within the body of the report.

#### Suggested Conditions

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

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

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

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



Title	Plan Ref	Received On
Site Location Plan	990/STN/LP Rev A	31 May 2022
Proposed Site Layout	990/STN/SLP Rev J	29 September 2022
Listed Building Alterations Floor Plans	990/STN/PL5 Rev B	1 June 2022
Proposed Floor Plans	990/STN/PL1 Rev G	26 August 2022
Indicative Mansard Roof Detail Section	990/STN/PL7	26 August 2022
Proposed Elevations	990/STN/PL2 Rev D_	26 August 2022
Proposed Streetscene	990/STN/PL3 Rev E	26 August 2022
Proposed Roof Level Plan Rev B	990/STN/PL6 Rev B	26 August 2022
Proposed Plan and Elevations	SWTN/22/05/001	29 September 2022

3. The residential units shall only be occupied by individuals with Special Needs. Prior to the first occupation of any of the units, the criteria for selecting residents, in accordance with the Central Lancashire Affordable Housing SPD, shall be submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure compliance with Policy 7 of the Central Lancashire Core Strategy.*

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

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

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

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

6. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. 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.

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

7. The conversation and extension of the former Swan with Two Necks is likely to cause harm to common pipistrelle and brown long-eared bats as identified in the Report of Bat Survey by Ecology Services UK Ltd. The works to the listed building shall not in any circumstances commence unless the local planning authority has been provided with either:

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

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

*Reason: To ensure the harm to a protected species is adequately mitigated.*

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

*Reason: Wild birds and their eggs are protected under Part 1 of the Wildlife and Countryside Act 1981, which makes it illegal to kill or injure a bird and destroy its eggs or its nest whilst it is in use of being built.*

9. Prior to any works taking place above DPC level, excluding demolition, a scheme for the landscaping of the development and its surroundings shall be submitted and approved in writing by the Local Planning Authority. These details shall include all existing trees and hedgerows on the land; detail any to be retained, indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. 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 scheme should include bat roosting and bird nesting habitat.

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.*

10. The Chorley Council document "Code of Practice for Construction and Demolition" shall be adhered to throughout the construction period.

*Reason: To protect the amenities of the nearby residents.*

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

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

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

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

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

12. The measures of tree protection specified within the Arboricultural Impact Assessment with Tree Protection Measures ref. AIA.13315.01 dated 28th June 2021 shall be employed throughout the approved demolition and construction work.

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

13. 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.*

14. No part of the development hereby approved shall commence until a scheme for the construction of 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: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.*

15. No part of the development hereby approved shall be occupied until the approved scheme referred to in the above condition has been constructed and completed in accordance with the scheme details.

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

16. No development shall commence until details of covered and secured cycle storage have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The details shall accord with the Chorley Council Parking Standard. The scheme shall be implemented in accordance with the approved details before first occupation/use of the development. The facilities shall be retained at all times thereafter.

*Reason: To encourage sustainable transport modes.*

17. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the surface water sustainable drainage strategy SWTN/22/07/050 A Rev.A produced by the applicant on 20/07/2022. 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..*

18. No development shall commence in any phase 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.

The detailed surface water sustainable drainage strategy shall be based upon the indicative surface water sustainable drainage strategy submitted 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. The details of the drainage strategy to be submitted for approval shall include, as a minimum;

- a) Sustainable drainage calculations for peak flow control and volume control for the:
- i. 100% (1 in 1-year) annual exceedance probability event;
  - ii. 3.3% (1 in 30-year) annual exceedance probability event + 40% climate change allowance, with an allowance for urban creep;
  - iii. 1% (1 in 100-year) annual exceedance probability event + 45% climate change allowance, with an allowance for urban creep.

Calculations must be provided for the whole site, including all existing and proposed surface water drainage systems.

- b) Final sustainable drainage plans appropriately labelled to include, as a minimum:
- 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;
  - ii. Sustainable drainage system layout showing all pipe and structure references, dimensions and design levels; to include all existing and proposed surface water drainage systems up to and including the final outfall;
  - iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate;
  - iv. Drainage plan showing flood water exceedance routes in accordance with Defra Technical Standards for Sustainable Drainage Systems;
  - 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;
  - vi. Details of proposals to collect and mitigate surface water runoff from the development boundary;
  - 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;
- c) 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.
- d) Evidence of an agreement in principle with the third party Water and Sewerage Company to connect to the on-site surface water sewer.

The sustainable drainage strategy shall be implemented in accordance with the approved details.

*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.*

19. 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 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 runoff rate from the site prior to redevelopment.
- b) Measures taken to prevent siltation and pollutants from the site into 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.*

20. 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 SuDS components and connecting drainage structures, including watercourses and their ownership, and maintenance, operational and access requirement for each component;
- 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) 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;
- e) Details of financial management including arrangements for the replacement of major components at the end of the manufacturer's recommended design life;
- f) Details of whom to contact if pollution is seen in the system or if it is not working correctly; and
- g) Means of access for maintenance and easements.

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.*

21. 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.*

22. Before the use of the site hereby permitted is brought into operation and for the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

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