

APPLICATION REPORT – 21/00530/FULMAJ

Validation Date: 25 May 2021

Ward: Clayton West And Cuerden

Type of Application: Major Full Planning

Proposal: Change of use of vacant care home (Use Class C2) to residential dwelling (Use Class C3) with associated staff and guest accommodation; internal and external repair/refurbishment works and alterations; selective demolition; extension including orangery, staircase enclosure, creation of swimming pool with glazed enclosure, and two storey extension to service buildings in south west corner of stableyard; hard and soft landscaping works including associated structures and landscape features including reinstatement of dilapidated pond; construction of gate lodges and secondary gates to access road; removal of driveway bridge crown and repair of tunnel; provision of associated car parking; together with other associated development

Location: Cuerden Hall Shady Lane Cuerden Bamber Bridge Preston PR5 6AZ

Case Officer: Mike Halsall

Applicant: Mr Colin Shenton

Agent: Paul Butler Associates

Consultation expiry: 11 November 2022

Decision due by: 9 December 2022 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application relates to Cuerden Hall, a Grade II* listed building with attached Grade II listed stable block at the western end, forming a courtyard area. The Hall has early C18 origins and has undergone a significant level of historic change and development including significant remodelling and extension to the east in the early C19 and the addition to the west housing servant's accommodation. A detailed chronology of the site is provided within the submitted Conservation Management Plan.
3. Cuerden Hall lies in the Green Belt on the western side of Cuerden Valley approximately one mile to the south east of Bamber Bridge. The Hall is accessed from the west via a long, surfaced carriage drive off Shady Lane and its grounds extend to approximately 6.5 hectares. The driveway emerges through substantial woodland into a surfaced forecourt. The grounds include formal lawns, parking areas, hardstanding, areas of woodland and Grade II listed iron gates at the foot of terrace steps to the east of the Hall. The majority of the application site is subject to woodland Tree Preservation Order ref. 'Chorley BC TPO 8 (Cuerden) 2013'.
4. The Hall sits on an elevated site above the River Lostock with open land to the north and east. Modern housing developments of Cuerden Close and Berkeley Drive lie to west.

5. The Hall was most recently used as a care home operated by Sue Ryder Care, having been converted from offices in the latter half of the 1980s. The building has been vacant since 2020 when Sue Ryder moved to a purpose-built facility in Preston.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. The application seeks full planning permission for the change of use of the vacant care home (Use Class C2) back to its original use as a residential dwelling (Use Class C3) with associated staff and guest accommodation; internal and external repair/refurbishment works and alterations; selective demolition; extension including orangery, staircase enclosure, creation of swimming pool with glazed enclosure, and two storey extension to service buildings in south west corner of stableyard; hard and soft landscaping works including associated structures and landscape features including reinstatement of dilapidated pond; construction of gate lodges and secondary gates to access road; removal of driveway bridge crown and repair of tunnel; provision of associated car parking; together with other associated development.
7. Application refs. 21/00531/LBC and 21/00532/LBC have been submitted in parallel with this application and seek listed building consent for the works to the Grade II* Hall and Grade II stable block, respectively.
8. The proposal involves remedial works to the Hall to remove the modern care home interventions together with external alterations including the provision of a new conservatory/orangery extension, new stair enclosure to the 2nd floor of the 1717 house part of the Hall, swimming pool with enclosure and other small detached buildings.
9. The applicant's supporting Planning Statement identifies the following proposed works as intended to enhance the heritage significance of the building:
 - *“High quality landscaping proposals which return a sense a formality and high quality planting to the immediate setting of the Hall. This will also enhance the setting of Cuerden Valley Country Park. Reinstatement of the 1880s pond and tree thinning will help recreate historic designed views, enhancing setting.*
 - *A wholesale repair programme of the Hall and stables including repointing, window repairs and works to rainwater goods. The use of appropriate, traditional materials will enhance external appearance and help protect internal spaces.*
 - *Internally, the removal of inappropriate features such as suspended ceilings, modern floors, radiators, non-breathable concrete, M&E and modern fittings from the principal Wyatt rooms is highly beneficial due to the significance of these spaces.*
 - *Historic paint analysis will be used to inform the new decorative schemes within the principal rooms.*
 - *The proposal to construct a new orangery on the south face of the 1717 House is considered to be an enhancement to significance overall. Wyatt had intended for a conservatory to be constructed in this location. The proposals offer a contemporary interpretation of this design that will help connect the gardens and the house and allow the low-quality paving and loggia in this location to be replaced.*
 - *Reinstatement of missing historic architectural features for which there is archival evidence in the form of historic drawings and photographs – for example the reinstatement of chimney pots and internal joinery features.*
 - *Reinstatement of the fire damaged southern wing of the stableyard.*
 - *Replacement of external ladder access enclosures, currently detrimental to significant views of the hall, with sensitively designed and high-quality new stair and enclosure”*
10. The Planning Statement also explains that the scheme has also sought to avoid and minimise harmful impacts with appropriate mitigation taken including:
 - *“Carefully designed M&E systems that allow for use of the turrets as low-impact service risers.*
 - *Use of the existing plant room below the Service Wing to serve the new swimming pool and boilers.*

- *Reuse of redundant and fire-damaged Stable ranges for guest accommodation rather than new structures in the landscape.*
- *Use of spaces that have already been substantially altered to accommodate major change.*
- *Reuse of existing bathroom and en-suite facilities where possible to avoid additional service installations.*
- *More intrusive uses, such as the spa/sauna rooms, to be installed in areas of detrimental and neutral significance to avoid harm to principal rooms.*
- *An iterative design process has ensured evolution of proposals based on an understanding of significance and consultation with key stakeholders, including statutory bodies.”*

11. The proposal has changed since its original submission in response to concerns raised by consultees and neighbours, most notably to remove reference to the infilling of the Cinder Path Tunnel, to amend the design of the swimming pool roof and to remove gates that were proposed which would block access between Cuerden Close, the driveway to the Hall and Shady Lane. The proposal was changed to include for temporarily bridging over the tunnel for the duration of the hall works, then to undertake a programme of repairs to the tunnel, rather than infill. No temporary or permanent blocking of access to the driveway is now proposed for Cuerden Close residents. It should be noted that whilst the Cinder Path Tunnel is not listed in its own right, it has some heritage interest.

REPRESENTATIONS

12. Representations have been received from six individuals in objection to the proposal, including Councillor Mark Clifford, citing the following summarised issues:
- Harm to bats
 - Insufficient level of ecology surveys having been undertaken
 - Ecological harm
 - Gates at the junction of Cuerden Close and the Hall driveway are unnecessary and block a right of way / easement
 - Request conditions be attached if the gates are approved so that residents and Utilities have free access, that the gates remain operational and access can still be gained by pedestrians
 - Vehicle turning space should be provided near the gates
 - Closure of the access for 5 years during the construction work is too long and interim access should be provided to residents
 - Object to the infilling of the tunnel on Cuerden Close from the Cinder Path due to harm to bats that hibernate there
 - Object to the staff accommodation in the stables, reports of bats within there
 - Comments about utilities – water bills paid through Sue Ryder previously
 - Landownership issues
 - Insufficient tree survey and lack of an arboricultural method statement and tree protection plan
 - Conflict with policy BNE1 of the Chorley Local Plan 2012-2026 in relation to temporary gates during construction work
 - Highway and pedestrian safety
 - Lack of consultation by the applicant
 - Conflict with policy BNE5 of the Chorley Local Plan 2012-2026 in relation to Green Belt harm
 - Conflict with Chorley Local Plan paragraph 2.14 with regards to harm to the character and distinctiveness of the area and visual intrusion
 - Conflict with sections of Chorley Local Plan 2012-2026, National Planning Policy Framework and Central Lancashire Core Strategy
 - The Hall is part of the lives of people in Cuerden since it was owned by the MOD in the 1950s and surrounding properties were lived-in by the workers, Sue Ryder maintained public access and the proposal cuts it out
 - Proposal does not take into account how it will impact local community

- Conflict with policy BNE10 of the Chorley Local Plan re. tree harm
 - Conflict with policy BNE11 of the Chorley Local Plan re. protected species
 - Drainage and flood risk
 - Fear the hall will become a multi-residency and not a single household
 - Light pollution
13. One representation has been received which states they neither object nor support the application, citing the following summarised points:
- Welcome the proposal to change the building back into residential use
 - Ecology assessment is inadequate
 - Harm to heritage assets
 - Request public access to some Permissive Paths is maintained
 - Similar issues to those identified above by those objecting to the proposal
14. The Wildlife Officer for Cuerden Valley Park Trust has commented as follows: I note with a little concern the development at Cuerden Hall. The tunnel which carries the Cinder Path under the main driveway is a regular roost for Brown Long-eared bats and they have also been recorded as hibernating there in winter. In addition to this, when Sue Ryder did a survey of the main hall the ecologists reported the following "The Stable building supports a very large maternity (breeding) roost of brown long eared bats with smaller numbers of non-breeding summer roosting common and soprano pipistrelle bats. In overall terms the roost is likely to be one of the largest of its type in the County and is of regional significance" I am sure the Planning Dept at Chorley will take this into consideration when dealing with the application from the owners of Cuerden Hall.
15. Many of the objection responses refer to the proposal blocking of a Right of Way, which are often confused with Permissive Paths. Permissive Paths are those which a landowner has allowed the public to use over their land and these can be closed by the landowner without any legal process. Public Rights of Way are paths that anyone has the legal right to use and landowners have a duty to keep them open and unobstructed. Any closure or diversion of a Public Right of Way requires an application to be made to the Local Highways Authority. To confirm, there are no adopted Public Rights of Way within the application site or indeed anywhere near the application site. The application site is private land and the landowner is entitled to block public access if he wishes.
16. Comments have been received in relation to local residents receiving their water supply via the Hall and whether this will continue. United Utilities in their responses to the consultation on the planning application have suggested that discussions take place between the applicant, UU's billing team and local residents with regards to the water supply issue raised within representations on the application. This however falls outside of the planning process.
17. One of the representations received draws comparisons between the ecological surveys undertaken in support of a previous proposal at the application site, compared to that of the current proposal. The previous proposal was an application by Sue Ryder care home to erect a new hospital within the woodland surrounding the listed building. The ecological survey submitted in support of the application included an assessment of the woodland. Specific reference is made within the representation to an assessment of the impacts upon bats, birds and Great Crested Newt. The representation states that as the current proposal includes the erection of lodges within the woodland, the ecological assessment should include a similar assessment to that undertaken in support of the previous application for the hospital.
18. The applicant's ecologist has responded to the above representation stating that the representation seems to only take account of the most recent ecological assessment submitted in support of the application. This relates to an updated bat survey and mitigation strategy with regards to the Hall. Previous ecological reports were submitted in support of the application, the most pertinent being Extended Phase 1 Habitat Survey & Daytime Bat Survey at Cuerden Hall, Bamber Bridge, Preston, Lancashire 2021 and Daytime Bat Survey

of Trees at Cuerden Hall, Bamber Bridge, Preston, Lancashire 2021 – Rachel Hacking Ecology.

The applicant's ecologist states that it was clear from the outset that there would be no tree loss associated with the construction and use of the lodges (see Cuerden Hall - Arboricultural Impact Assessment (April 2021) – Tree Solutions Limited and Figure 1). The whole woodland within the red line application site was assessed during the Extended Phase 1 Habitat Survey, including Lady Hoghton's Woods. Moreover, individual trees within Lady Hoghton's Woods were systematically surveyed during the separate daytime bat survey of the trees. No bat roosts were found.

In relation to birds, all bird species are protected at an active nest under The Wildlife & Countryside Act 1918 (as amended). Any tree loss or loss of other suitable bird nesting habitat will be mitigated for in two ways:

- A nesting bird survey undertaken no more than 48 hours prior to work commencing by a suitably experienced ecologist and any active nests found will be protected from disturbance until the nest has fledged/becomes inactive.
- The provision of multiple bird boxes across the site.

Both mitigation measures above will be secured via a suitably worded condition.

With regards to Great Crested Newts, GCN was not found to be a protected species constraint during the Extended Phase 1 Habitat Survey. The report states: No ponds exist on the site. Four ponds exist within 250m of the site. These ponds are all separated from the site by short-grazed grassland and roads. Given the lack of connectivity to suitable breeding habitat in the locality, no further survey work is required, and Great Crested Newt is not considered to be a constraint on development at this time. This conclusion was accepted by GMEU.

19. Further to the above, the Council's ecological advisor has reviewed the submitted ecological reports and have confirmed they have no objection to the proposal, as explained later in this report.
20. One additional anonymous objection has been received but in the interests of the openness and transparency of the planning system, the contents of the objection have not been summarised above.

CONSULTATIONS

21. Lancashire County Council Archaeology Service: have recommended that the following is secured by a planning condition:
 - Photographic record of the Stables
 - Drawn and photographic record of the Cinder Path Tunnel
 - Earthwork survey of the woodland features in Wilbraham's Wood identified by the ARM 2013 DBA
 - Test pitting and trial trenching, as outlined in the Matrix Archaeology 2021 DBA
22. Cadent Gas: responded with information for the applicant. Please see the section of this committee report titled 'Pipeline Safety' for more information.
23. Greater Manchester Ecology Unit (GMEU): initially responded to request further bat surveys with regards to potential roosts in the Hall, trees and the Cinder Path tunnel under the access road, as well as any required mitigation measures. Such surveys were subsequently undertaken by the applicant's ecologist and reports of their findings submitted to the Council and then further updated following further comments from GMEU and direct discussions between GMEU and the applicant. GMEU have responded with no objection to the proposal, stating that they are satisfied with the latest bat survey results and the proposed bat mitigation strategy, and would raise no further objections to the proposals. The mitigation, if delivered appropriately, should ensure that the conservation status of this

important bat roost is maintained. If the application is permitted, a protected species License will also need to be obtained from Natural England before undertaking any work which could cause harm to bats. The application process is separate from any grant of planning permission.

Many of the representations refer to harm caused from the loss of Bluebells. In response to this, GMEU have stated that Bluebells are listed on Schedule 8 of the Wildlife and Countryside Act, 1981 (as amended) which makes it illegal to collect bulbs from the wild for commercial/sale purposes. Where they can't be retained and protected (the preferential option) we would recommend a method statement for their translocation to a suitable receptor site is secured by way of a condition.

It is recommended that a condition be attached to any grant of planning permission requiring the implementation of all mitigation measures outline in the submitted ecological reports.

24. Historic England: have responded with no objection to the proposal, stating that the proposals have been considered carefully and respond sensitively to the significance of the listed building. They state that a number of elements of the works, including the reconfiguration of the interior of the building, and the reconsideration of the wider landscape masterplan, address concerns that have arisen due to the building's previous use, and will have a positive impact. They have, however, recommended that the local planning authority attach conditions to any approvals, as there are a number of areas where the sensitivity of the works will be determined by the exact details of the proposals. For example, providing details of the exact nature of the conservatory's construction, including sectional details of the windows and roof lanterns, samples of the proposed materials, and details of how it will physically tie into the building.
25. Regulatory Services - Environmental Health Officer: have not responded on this occasion.
26. Waste & Contaminated Land Officer: has responded to state that the applicant should ensure that adequate provision is made for the storage of wheeled bins and appropriate access should be provided for waste collections, or a designated bin collection point at the kerbside on Shady Lane.

It is considered that the above can form the basis of a suitably worded planning condition.

27. Lancashire County Council (LCC) Highway Services: initially responded with concerns in relation to temporary gates that were proposed to block access to the Hall driveway/access road during construction work, which is proposed to last for up to 5 years. One gate was to be located at the northern end of Cuerden Close and the other at the western end of the Hall driveway, close to its junction with Shady Lane. The gates would have blocked residents of Cuerden Close and other non-construction related vehicles from using the Cuerden Hall driveway to get to and from Shady Lane or from using the driveway to turn back around onto Cuerden Close to exit to the south, back onto Shady Lane. These concerns principally related to potential highway and pedestrian safety issues with large vehicles, e.g. waste collection vehicles, having to reverse down Cuerden Close or do three-point turns in the road. The applicant has since removed these temporary gates from the proposal and LCC Highway Services has consequently responded with no objection to the proposal. They have recommended a condition be attached to any grant of planning permission requiring the submission of a Traffic Management Plan to the Local Planning Authority for approval, prior to development commencing at the site.
28. Tree Officer: has responded to state that the majority of the proposed tree removals are either trees in poor condition or trees growing close to the property. Due to the large number of trees in the area and the limited public access, the proposed removals will not have any significant impact on levels of visual amenity. An appropriate Tree Protection Plan and Arboricultural Method Statement should be in place before any work commences, to ensure protection for the retained trees. Adherence to BS 5837:2012 should be conditioned.

It is considered that the requested Arboricultural Method Statement and Tree Protection Plan can be secured by planning condition, as is standard practice.

29. Historic Buildings and Places: have not responded on this occasion.
30. The Council for British Archaeology: have not responded on this occasion.
31. SPAB: have not responded on this occasion.
32. The Georgian Group: initially responded in objection to the proposal. Whilst they welcomed much of the proposed works, they objected to the erection of the conservatory, filling of the Cinder Path tunnel and the service court and consider the grandeur of the swimming pool structure is inappropriate in this location and should be moved to the stable-yard. Following a site visit and agreed changes that have been made to the proposals, including changing the roof of the swimming pool, they have subsequently removed their objection to the proposal.
33. The Victorian Society: have not responded on this occasion.
34. Twentieth Century Society: have not responded on this occasion.
35. Cuerden Parish Council: have responded in objection to the proposal, as follows:

"The Phase 1 Habitat report gives insufficient information on the current Bat population within the grounds AND the hall. We have concerns about light pollution and the effects this will have on the local wildlife. There has been no consultation with United Utilities with regards to the condition of the water supply pipes to the hall and to surrounding houses and offices. Within this application there is no reference made to the future supplies of water which is currently administered and billed to households and offices in Cuerden by the owner, Sue Ryder Care. The existing pipework was of concern to United Utilities many years ago but has not been addressed since. With plans for a swimming pool the Parish Council feel that this, and new living quarters, could put excessive strain on an already weakened pipe system. The Parish Council has concerns about the very basic tree survey. There are no details of the qualifications and experience of the site surveyor. The Parish Council have concerns about the removal of long-standing trees in this area and with insufficient data from a tree report object to this proposal. We have concerns about light pollution and the effects this will have on the local wildlife. The Parish Council have concerns about easement and resident's rights to access their homes if gates are to be erected at the entrance to the main drive and at the entrance to Cuerden Close. Concerns have been raised about safety, access for emergency vehicles, deliveries, service vehicles such as refuse collection and oil deliveries. Until these areas are addressed the Parish Council objects to this application".

A further objection was received from Cuerden Parish Council on highway safety grounds.

36. Issues of water supply and rights of access, referred to in the Parish Council response above and also that of neighbouring residents, are civil matters and fall outside of material planning considerations.
37. Natural England: responded with no objection to the proposal, stating that they consider the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
38. United Utilities (UU): initially responded in objection to the proposal in relation to a possible conflict with one of their assets, a pressurised sewer. That said, they have recommended conditions be attached to any grant of planning condition to overcome their concern and further conditions in subsequent response in relation to the discharge rate of the proposed swimming pool and sustainable surface and foul water management. Whilst UU have also agreed to the wording of a surface water drainage condition with the applicant, it should be

noted that the Lead Local Flood Authority (LLFA) are the statutory consultee for planning applications with regards to surface water drainage. The LLFA are satisfied with the proposed drainage strategy and have recommended conditions be attached to any grant of planning permission, as explained later in this report. UU have suggested a condition be attached in relation to the drainage of the swimming pool which will be attached to any grant of planning permission. UU have also suggested that discussions take place between the applicant, UU's billing team and local residents with regards to the water supply issue raised within representations on the application. This however falls outside of the planning process.

39. National Grid UK Transmission: have not responded on this occasion.
40. Lancashire Wildlife Trust: have objected to the proposal on the basis of lack of information with regards to the potential impacts of the proposal on bats. This objection was received prior to the applicant's submission of further information on this matter. No further response has been received.
41. South Lancashire Bat Group: responded to state that there are a number of known bat roosts in the building, stables and the tunnel. The LPA must ensure that suitable provision has been made for these protected species when determining planning permission. More information on the records we hold is available from LERN, Lancashire Environmental Record Network.
42. Lead Local Flood Authority: has responded with no objection to the proposal and has recommended conditions be attached to any grant of planning permission requiring the finer details of the drainage strategy to be submitted for approval and to secure the completion and validation and maintenance of the scheme following completion.

PLANNING CONSIDERATIONS

Principle of development

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

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

138. Green Belt serves five purposes:

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

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

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

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

*c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;...
150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:...*

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

44. The proposal mainly relates to the re-use of a building (paragraph 150d exception) by converting the existing care home into a dwelling, with other associated development, including extensions (paragraph 149c exception). The Central Lancashire Rural Development SPD (Oct 2012) provides additional guidance to that of the Framework on the re-use of and extensions to buildings in the Green Belt.
45. The proposal also includes new buildings in the form of a polytunnel and glasshouse to be located in the rear garden, a teahouse to be located near the restored pond to the north east of the Hall, two lodges to be located at the site entrance near Shady Lane and two sets of access gates. These elements of development do not fall within any of the exceptions from being inappropriate development listed in the Framework. They therefore represent inappropriate development in the Green Belt and should only be approved if Very Special Circumstances are demonstrated.
46. The re-use and extensions to the Hall and the additional buildings are assessed separately below.

Re-use and extensions to the Hall

47. Policy HS9 (Conversion of Rural Buildings in the Green Belt and Other Designated Rural Areas) of the Chorley Local Plan 2012 – 2026 states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:

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

The proposed development includes extensions in the form of a single storey conservatory / orangery infill to the rear of the Hall and a single storey swimming pool infill extension within an existing courtyard area, to the west of the Hall. The Framework at paragraph 149c allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The guidance contained within the Council's Rural Development SPD provides that increases of up to 50% are not considered disproportionate. The proposed extensions at 2591 cubic metres (swimming pool) and 542 cubic metres (conservatory/orangery) represent just 14% of the volume of the existing building and so would not be disproportionate additions and would not, therefore, have a materially greater impact on the openness of the Green Belt. The impact of the proposed extensions is further lessened by the location of the proposed extensions. Both represent infill development with the existing building located on three sides of each extension, rather than extending the footprint of the building out into currently open areas of the site.

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

The proposal is for the re-use of an existing building to a dwellinghouse, returning it to its originally intended use. The site is mostly screened from public view by woodland. The proposals would have a positive impact upon the character of the area by restoring much of the building that is in need of attention, whilst adding some sensitively designed and relatively modest extensions (setting aside heritage issues). Further, as noted by Historic England and the Council's Tree Officer respectively, the reconsideration of the wider

landscape masterplan will have a positive impact and the trees to be removed will not have any significant impact on levels of visual amenity. It is not considered that the proposal would be harmful to the character or quality of the countryside.

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

The building is not in agricultural use and so this criterion is not relevant.

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

The building is not in agricultural use and so this criterion is not relevant.

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

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

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

As noted above, the proposal would enhance the character of the building by restoring much of the building that is in need of attention, whilst adding some sensitively designed and relatively modest infill extensions. This is explained in more detail later in this report.

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

The site benefits from an existing access and it is not considered that the proposed development would be detrimental to highway safety and would, therefore, accord with this criterion. This is explained in more detail later in this report.

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

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

Additional buildings

48. The application proposes the erection of a polytunnel, glasshouse, teahouse, entrance gates and gate lodges. The Framework states a Local Planning Authority should regard the construction of new buildings as inappropriate in Green Belt. These buildings do not fall within any of the exceptions of the Framework from being inappropriate development and so are harmful by definition.
49. The Framework is clear that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances
50. The Framework states that when considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

51. As it has been established that the development would result in definitional harm to the Green Belt as a result of the additional buildings, any 'other harm' caused by the development must also be considered and added to the definitional harm. This is assessed below.

Openness of the Green Belt

52. It is important to note that, whilst there is no definition of openness in the Framework, when assessing harm to the openness of the Green Belt, one must assess the visual and spatial elements of a proposal.
53. The proposed polytunnel and glasshouse would be located approximately 40 and 30m to the south east of the Hall, respectively, in the rear garden. The polytunnel would measure approximately, 10m x 4m in floor area, with a maximum height of 2.4m. The glasshouse would measure 7m x 7m, with a maximum height of 4.85m.
54. The proposed teahouse would be located approximately 100m to the north of the Hall on an island in the centre of the restored pond. The teahouse would measure 3m x 3m with a maximum height of 3m.
55. The proposed gate lodges and one set of gates would be located just off Shady Lane on the access road to the site. There would be one lodge located either side of the access road and they would measure approximately 3.5m x 3.5m and would be approximately 5.6m in maximum height. The gates would measure approximately 4m in maximum height. The second set of gates would be located across the access road, approximately 170m to the north west of the Hall. These would measure approximately 2.2m in height.
56. Given the scale and grandeur of the Hall and the location, size and type of buildings proposed, it is considered that the spatial impact and visual impacts upon openness would be limited. That said, there would be some harm caused due to the increase in built development at the site, but this would be of a low magnitude, given the proposed size and location of the buildings compared to the existing development.

Impact on the listed building

57. Paragraph 66 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.*

58. 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.

59. 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.'*

60. 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

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

"The LPA in this instance is required under the P (LBCA) Act to have special regard to the desirability of preserving listed buildings and its setting or any features of special architectural or historic interest which it possesses. Recent High Court judgements identify the need to give considerable (great) weight and importance to that duty. Indeed P.199 of the NPPF requires greater weight to be applied to more significant heritage assets.

I have read through the relevant supporting documents and attended a previous site meeting (at pre-application stage) to discuss the initial proposals.

The key heritage issue for the LPA to consider, in relation to the LBC application, is;

- 1. Whether the proposed alterations/works to the listed building would harm the significance of Cuerden Hall and if so can the proposed works be justified by any public benefits delivered by the scheme.*

Significance of the heritage assets

A detailed description and phased analysis of the Hall is contained in the Conservation Management Plan and is referenced in the other submission documents.

The significance of the building is explained in Section 6 of volume 1 of the CMP. I am in agreement with the stated levels of significance which are identified in P148-152 of the CMP.

The multi phased nature of the Hall lends itself to an approach which seeks to limit the interventions to the more significant elements in lieu of concentrating the changes to the later additions and in particular the C19 service court which lies to the west of the 1717 house.

Impact on the significance of the heritage asset

The assessment of the impacts is contained in volume 3 of the CMP. The report contains a full and detailed assessment which is identified in a table of impacts (p.344-379) and in plan form (p.380-401). A summary of the impacts is included on P.340-341.

I am generally in agreement with the findings and the levels of harm/impact assigned within the assessment including those elements of the work which represents positive change. My only issue is with the assessment of the likely impact of the new Orangery which runs across the rear (south) elevation of the 1717 house and fills in the space at GF level between the Wyatt house and Service Court. Whilst this work replaces an existing loggia and does not seem out of place it does however impact on how you appreciate the existing asset and how you view onto the south elevation of the 1717 house. I would assign this element as having a low adverse impact rather than low beneficial as provided in the report.

Nevertheless I find the work to the property to be well thought out and suitably detailed. The reports themselves provide a sound and convincing justification for the necessary interventions.

In relation to the principle interventions my views are as follows;

Swimming pool and enclosure

In principle I raised no objections to this insertion of the pool in the Pre-application discussions. Whilst it is clearly a modern intervention the Courtyard area is of lower significance and is already affected by modern development which is not a positive contributor. The enclosure will be largely glazed and will be unseen from view in relation to any of the principle elevations of the building. The design reflects the style of the adjoining buildings without being a pastiche. In this respect any impact is likely limited and I share the view expressed in the submission documents that the harm is low.

Orangery/conservatory

Whilst I can understand the wish to provide a better interface/transition into the garden from the south elevation I feel the erection of a new structure across the GF causes some harm to how we appreciate the rear elevation of the Hall. The presence of previous drawings does not justify the intervention as the proposal has to be assessed as a change to the designated LB. I am however not opposed to the design and feel (as with the swimming pool enclosure) that it is well thought out and considered and its effect of the elevation is somewhat limited. I would regard the change as being at the low end of less than substantial harm.

I note that the work to facilitate the addition and those to open up the dining/kitchen area (to provide a more modern living space) are identified as having a medium adverse impact in the Assessment of Heritage Impact report (volume 3 of the CMP).

New staircase

This work to provide an oval stair from basement level to the 2nd floor provides better use and accessibility through the different phases of the Hall. The work is justified in the DAS and assessed in the Impact assessment. Visually whilst restrained in design and involves reworking of an area already altered it nevertheless involves a major intervention and one which is visible at roof line level. I feel the high quality architectural design helps the work blend in with the overall composition of the hall and any view of the stair will be seen in the context of the larger/taller roof (which it adjoins) immediately to the east. However similar to the comments on the Orangery this represents a physical and structure change which impacts on the form of the existing Hall. Nevertheless the work would have a low, less than substantial impact.

Stable Courtyard

It is acknowledged that the significance of the stables is considerably lower than the main Hall. Generally I feel the proposed works to reconstruct/repair the fire damaged sections to be a positive intervention and help retain the integrity of the original design. Subject to detailed design/materials etc. I raise no objections.

Gate lodges

I have no objections to the addition of the new entrance gates/lodges. The entrance is visually detached from the Listed Hall and will be seen in its own context. Given the status of the Hall I feel the design seems appropriate.

Landscape/gardens

I note the comments re the Cinder Path Tunnel both from The Georgian Society and LCC Archaeology. Whilst not listed in its own right the structure is clearly of heritage interest. I believe following discussions, it has been agreed that the proposals will no longer involve the infilling of the tunnel and will be temporarily bridged over during construction works. Following the construction works the tunnel will be repaired. This seems an appropriate course of action. The LPA will however need to consider how this work can be secured through the PP/LBC.

Summary

I note the comments by Historic England (29 June 2021) and the Georgian Society (29 June 2021 and subsequent comments 08 September 2021). I also note that amendments to the scheme (and supporting documents) have been made to address concerns from the Georgian Society. Historic England have no objection to the scheme.

In summary, I conclude that the proposals will undoubtedly cause some visual change to the building however I am however mindful that this need not translate into significant levels of harm or loss of significance of the building.

The impacts noted above would represent a low/medium level of harm and will fall in the less than substantial category as defined by the NPPF.

It is clear that some of the changes and in particular the change back to a single dwelling and the investment into its repair will bring forward considerable public benefits. The removal of the modern room partitions and stripping back of the former institutional use will better reveal the high significance of the internal layout and the special character of the building. Benefits are also gained by the repair works to the building including the roof, rain water goods and windows.

Overall I think the proposals represent positive works for the future of the building and will help sustain the Hall's very high significance. In this respect the benefits gained by the proposal far outweigh the harm generated by the interventions.

The NPPF requires LPA's to consider the desirability of sustaining and enhancing the significance of heritage assets and putting them into viable uses consistent with their conservation. Whilst any level of harm caused to heritage assets is regrettable this must be balanced by the overall benefits being achieved by the scheme. Paragraph 202 of the NPPF allows the harm to a heritage asset to be weighed against the public benefits of the proposal. The LPA must however give great weight (NPPF P.199) to any harm in its planning balance.

Conclusion / recommendation

As I am required to do so, I have given the duty's imposed by s.66(1) of the P(LBCA) Act 1990 considerable weight in my comments. NPPF Paragraph 199 states that great weight should be given to the conservation of heritage assets regardless of the level of harm. High Court decisions have been clear that lower levels of harm does not equate to a lesser objection given the principle duty under the Act is to preserve the heritage asset.

As indicated above in my view I feel, when taken as a whole, the proposal will preserve the special interest of the designated heritage assets and that any harm caused by the works is adequately justified and mitigated against. In my view taking the proposal as a whole, which I am required to do, the benefits far outweigh any identified harm and therefore on balance the application meets the duty to preserve and the objectives of Chapter 16 of the NPPF and conforms to the policies of the Local Plan.

If the LPA agrees then I would suggest that suitable Conditions are added to secure;

- The submission of a detailed schedule of all materials to be employed including relevant samples. This will need to include details of any new stone and brick work, coursing, pointing profiles, mortar mixes, rainwater goods, windows and doors.*
- I work methodology (statement) for removal and repair works, proposed alterations and proposed finishes on the building explaining the practices to be employed to safeguard fabric and mitigate harm or loss during the construction phase."*

62. Taking the above comments into account, it is clear that some elements of the proposal, namely the new staircase, conservatory/orangery and swimming pool extensions would cause some harm to the significance of the Hall. This harm is of a low/medium, less than substantial scale and must be given great weight in the planning balance.
63. 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 asset affected in its planning balance.
64. As noted by the Council's heritage advisor, the change back to a single dwelling and the investment into the repair of the building will bring forward considerable public benefits. The removal of the modern room partitions and stripping back of the former institutional use will better reveal the high significance of the internal layout and the special character of the building. Historic England have noted that the proposal has been considered carefully by the applicant, responds sensitively to the significance of the listed building and will have a positive impact. This should be given significant weight in the planning balance.
65. On balance, it is considered that the benefits of the proposal from the programme of restoration work outweighs the harm caused from the new proposed additions.

Impact on trees

66. 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.
67. An Arboricultural Impact Assessment (AIA) accompanies the application which includes the survey and mapping of one hundred and forty-four individual trees, twenty-one groups of trees and four woodlands. It details that it would be necessary to remove 28 individual trees, 6 groups of trees and 2 sections of woodland to enable the development. None of the trees proposed for removal have been categorised as being Category A trees, i.e. of high value.

68. The Council's tree officer has identified that the majority of the proposed tree removals are either trees in poor condition or trees growing close to the property. He has stated that, due to the large number of trees in the area and the limited public access, the proposed removals will not have any significant impact on levels of visual amenity. He has requested that an appropriate Tree Protection Plan and Arboricultural Method Statement should be in place before any work commences, to ensure protection for the retained trees. He also requests that adherence to BS 5837:2012 should be conditioned. It is considered that the requested Arboricultural Method Statement and Tree Protection Plan can be secured by planning condition, as is standard practice.
69. A landscaping plan has been submitted in support of the application which identifies over 50 trees to be planted as part of the proposal. A detailed landscaping plan would also be required by condition to compensate for the loss of trees which will need to identify the location and species type of the replacement trees. The condition will require that any of the replacement trees that die will be replaced. The proposal is considered to be acceptable in this regard and complies with the above policy.

Highway safety

70. 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.
71. 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.
72. Policy ST4 of the Local Plan 2012-2016 sets out the Council's parking standards. However, there is no standard identified for such a large dwelling as that proposed with staff and guest accommodation.
73. 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.
74. As explained earlier in this report, LCC Highway Services has no objection to the proposal, following the applicant's agreement to allow unimpeded access from Cuerden Close to the Hall driveway during construction work. Access and egress can currently be gained to/from Cuerden Close from two access points on Shady Lane, one via Cuerden Close itself to the south, and one via the Hall driveway, further north. There will be a permanent gate installed on the Hall driveway at its western end, near Shady Lane, but the applicant has agreed to provide residents with an access code or a similar method of passing through. Delivery vehicles will be able to turn around using the driveway at the northern end of Cuerden Close and exit from the southern access back onto Shady Lane. There will be an additional set of gates installed on the Hall driveway, approximately 30m to the east of Cuerden Close, towards the Hall itself. This will have no impact upon the residents of Cuerden Close.

75. The proposed use of the Hall as a dwelling would be less intensive in terms of vehicle movements and parking requirements compared to the existing use as a care home.
76. The site currently has extensive areas of hardstanding to the front of the Hall for vehicle parking. The proposed landscaping scheme identifies this area to be landscaped with garaging for car parking for the occupiers of the Hall instead provided within the former stableyard. Car parking for staff and visitors is proposed to the west and north of the stableyard providing a total of 27 car parking spaces. It is proposed to screen this car parking area with planting around its perimeter.
77. In light of the above 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

78. 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.
79. 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.
80. 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.
81. The proposal offers a detailed and well-thought-out programme of restoration works to the Hall and stables, enhancing the character and appearance of the building and extensive landscaping proposals that would enhance the character and appearance of the area. The site would not have public access and is not prominently visible from public vantage points due to surrounding woodland. Overall, the proposed works to the listed building are welcomed and would be an enhancement to the character and appearance of the site and the wider area. English Heritage has commented that the landscaping masterplan is welcomed. The proposals include two entrance lodges and gates that would be located at the western end of the Hall driveway, near Shady Lane. These would be prominent new features to views when travelling along Shady Lane. Given the grandeur and status of the Hall, however, such features would not look out of place and are considered to provide a positive addition to the area.
82. In light of the above, the proposal would not harm the character and appearance of the locality. The development, therefore, complies with the above referenced policies of the Chorley Local Plan and Central Lancashire Core Strategy in this regard.

Impact on amenity

83. 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.
84. With regards to noise, dust and other pollution and disturbance 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 and the submission of a Traffic Management Plan (TMP). These can be required through the imposition of planning conditions.
85. The only residential uses in proximity to the application site are at Cuerden Close and Berkeley Drive, with the closest dwelling being approximately 45m to the south west of the Hall. The orientation and separation distance of the buildings and intervening vegetation means there would be no harm to residential amenity as a result of the proposal through loss of privacy, overshadowing or overbearing.
86. 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

87. 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.
88. The site is in Flood Zone 1 (the lowest risk) as identified by the Environment Agency.
89. 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.
90. The application is supported by a Flood Risk Assessment and Drainage Strategy. In relation to drainage, the report confirms that the landscaping scheme will increase permeable surfacing and soft landscaping within the site thereby reducing surface run off in comparison to the existing situation.
91. United Utilities have requested conditions be attached to any grant of planning permission with regards to ensuring there is no conflict between the proposal and their assets and with regards to surface water drainage and also in relation to the drainage of the swimming pool. Conditions have also been requested by the Lead Local Flood Authority which 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

92. 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

93. As noted earlier in this report, the Council's ecological advisors requested further bat surveys with regards to potential roosts in the Hall, trees and the Cinder Path tunnel under the access road, as well as any required mitigation measures. Such surveys were subsequently undertaken and GMEU have responded with no objection to the proposal. The bat surveys identified roosts within the stables roof space and so mitigation measures are proposed in the form of creating a dedicated bat roost space within the roof of the stables.
94. Natural England have responded with no objection to the proposal and the Council's ecological advisors are satisfied with the latest bat survey results and the proposed bat mitigation strategy. The mitigation, if delivered appropriately, should ensure that the conservation status of this important bat roost is maintained. The mitigation strategy will form the basis of the applicant applying for a license from Natural England prior to works commencing at the site. A condition will be attached to any grant of planning permission requiring evidence of the license to be submitted to the Local Planning Authority prior to works commencing.

Nesting birds

95. An empty bird nest was discovered in the attic of one of the buildings and so the buildings clearly have potential to support bird nests. 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

96. 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 submitted ecological assessments identify that ecological enhancements in the form of soft landscaping, bird and bat boxes and hedgehog holes should be provided.

Great Crested Newts

97. The submission identifies that no ponds exist on the site. Four ponds exist within 250m of the site. These ponds are all separated from the site by short-grazed grassland and roads. Given the lack of connectivity to suitable breeding habitat in the locality, no further survey work is required, and Great Crested Newt is not considered to be a constraint on development at this time.

Invasive Species

98. The submission identifies invasive species as being present at the site. A condition will be attached to any grant of planning permission requiring its eradication from the site.

Ecology summary

99. As noted earlier in this report, there has been criticism from some neighbours in relation to the level of detail of some of the submitted ecological surveys. The Council's ecological advisors are however now content with the submitted assessments. The proposal will require a license from Natural England, with regards to bats, prior to works taking place.
100. The proposal is considered to be acceptable in terms of its impacts upon ecological receptors, subject to conditions to safeguard protected species, eradication of invasive 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.

Contaminated Land

101. Phase 1 Preliminary Risk Assessment has been submitted in support of the application. The report has determined an overall Low to Moderate level of risk to future site users and ground gases associated with the proposed development. The report recommends that intrusive ground investigations are undertaken to support civil and structural design; and consider ground gasses and human impacts further. It is therefore recommended that 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.

Pipeline safety

102. The application site boundary is located approximately 100m at its closest point to a high-pressure gas pipeline which flanks the closest side of the M6 motorway to the north and north-west of the application site. The pipeline is located approximately 350m north of the Hall itself. The closest element of proposed development to the pipeline would be the gatehouses/lodges proposed to be located near the site access point off Shady Lane. The northernmost lodge would be closest to the pipeline at approximately 110m to the north west.
103. The case officer has used the Health and Safety Executive's (HSE) PADHI system during the consideration period of the application to obtain their advice in relation to the potential impacts of the proposal upon the pipeline. The outcome of the exercise is that the HSE identifies the site does not currently lie within the consultation distance of a major hazard site or major accident hazard pipeline; therefore at present HSE does not need to be consulted on any developments on this site. The pipeline operator, National Grid, has not responded to the consultation on the planning application. It is reasonable to conclude that if they had any concerns in relation to the potential impacts of the proposed development upon their infrastructure, they would have responded. There is no reason to refuse the planning application on safety grounds. An informative note will be attached to any grant of planning permission directing the developer to guidance for developers produced by Cadent and National Grid.

Green Belt Conclusion

104. The above sections of this report have established that the proposal, by virtue of the proposed additional building, would result in harm to the Green Belt by reason of inappropriateness and low-level harm to the openness of the Green Belt. There would be 'additional harm' caused to the significance of the listed building from the proposed extensions to the building. Such development should not be approved except in 'Very Special Circumstances', which will not exist unless the above identified harm resulting from the proposal, is clearly outweighed by other considerations.
105. The Council takes a pragmatic approach to the development of domestic outbuildings within a residential curtilage and makes provision for the equivalent of a double garage, a small shed, and a small greenhouse on a single dwelling in the countryside through the

Householder Design Guidance Supplementary Planning Document (SPD). The approval of the application would result in the Hall returning to being used as a substantially sized dwelling with no existing outbuildings. The application proposes the erection of a polytunnel, glasshouse, teahouse, entrance gates and gate lodges. Given the size and grandeur of the Hall, the proposed additional buildings are relatively modest in scale. In this instance therefore it is considered that the proposed buildings are acceptable under the requirements of the SPD. Due to the dwelling being listed, it does not benefit from permitted development rights for outbuildings and so the local planning authority will retain control over any further proposed outbuildings at this site.

106. Given, the consideration set out in policy in the form of the Householder Design Guidance SPD and the public benefits of bringing the listed building back to its original intended use and the renovations this will include, it is considered that very special circumstances exist to outweigh the harm identified above.

Public open space (POS)

107. 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.
108. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
109. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.
110. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
111. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
112. Notwithstanding this, the Council must also decide how much weight to give to the benefit of receiving a payment for 1 or 2 dwellings. It is, therefore, considered that the benefit of securing a public open space contribution on the basis of a single dwellinghouse in this case, would not outweigh the high cost of managing the end to end process of delivering those improvements, and would not be commensurate to the benefit.
113. Therefore, a public open space commuted sum is not requested for this scheme.

Community Infrastructure Levy

114. 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

115. As noted by Historic England, the applicant has carefully considered the proposals which respond sensitively to the significance of the listed building. The reconfiguration of the interior of the building and the reconsideration of the wider landscape masterplan, address concerns that have arisen due to the building's previous use and will have a positive impact. The proposal would nevertheless result in less than substantial harm to the character of the listed building by virtue of the new extensions and would result in harm to the Green Belt by virtue of the proposed additional outbuildings.
116. On balance, it is considered that the wider public benefits of bringing the listed building back to its original use as a single dwelling, the associated programme of restoration work and the flexibility of domestic outbuildings provided by the Council's Householder Design Guidance Supplementary Planning Document (SPD) amount to Very Special Circumstances that comfortably outweigh the harm caused by the proposal.
117. 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, ecological receptors, highway safety or flood risk and would not pose a risk from contaminated land and is accordingly recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 00/00781/ADV **Decision:** REFADV **Decision Date:** 13 December 2000
Description: Erection 1 no. totem sign.

Ref: 98/00269/LBC **Decision:** PERLBC **Decision Date:** 2 September 1998
Description: Application for listed building consent to demolish and make safe gable wall and roof to courtyard stables,

Ref: 06/00717/LBC **Decision:** PERLBC **Decision Date:** 25 August 2006
Description: Listed Building Consent to install a ladder tie system around the perimeter of the building, install wire system to part of the roof parapets and exchange and/or improve existing ladders for safe access, all to comply with the Working at Heights Regulations 2005

Ref: 13/01033/SCE **Decision:** PESCEZ **Decision Date:** 12 November 2013
Description: Request for Screening Opinion Pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011.

Ref: 19/01085/ADV **Decision:** PERADV **Decision Date:** 25 February 2020
Description: Installation of 1 no. hoarding board fronting Wigan Road (A49) and 1 no. hoarding board on Shady Lane.

Ref: 21/00531/LBC **Decision:** PCO **Decision Date:** Pending
Description: Application for listed building consent for works to facilitate a change of use of vacant care home (Use Class C2) to residential dwelling (Use Class C3) with associated staff and guest accommodation; internal and external repair/refurbishment works and alterations; selective demolition; extension including orangery, staircase enclosure, creation of swimming pool with glazed enclosure, and two storey extension to service buildings in south west corner of stableyard; hard and soft landscaping works including associated structures and landscape features including reinstatement of dilapidated pond; construction of gate lodges and secondary gates to access road; removal of driveway bridge crown and repair of tunnel; provision of associated car parking; together with other associated development

Ref: 21/00532/LBC **Decision:** PCO **Decision Date:** Pending

Description: Application for listed building consent for works to facilitate a change of use of vacant care home (use class C2) to residential dwelling (use class C3) with associated staff and guest accommodation; internal and external repair/refurbishment works and alterations; selective demolition; extension including orangery, staircase enclosure, creation of swimming pool with glazed enclosure, and two storey extension to service buildings in south west corner of stableyard; hard and soft landscaping works including associated structures and landscape features including reinstatement of dilapidated pond; construction of gate lodges and secondary gates to access road; removal of driveway bridge crown and repair of tunnel; provision of associated car parking; together with other associated development

Ref: 92/00677/FUL **Decision:** PERFPP **Decision Date:** 23 October 1992

Description: New foul and surface water sewers (approx 1333 metres) and erection of prefabricated building to house control equipment to serve existing premises

Ref: 86/00558/FUL **Decision:** PERFPP **Decision Date:** 18 March 1987

Description: Alterations

Ref: 85/00834/FUL **Decision:** PERFPP **Decision Date:** 25 February 1986

Description: Change of use from offices to a sue ryder home providing nursing and residential care with associated facilities including coffee and gift shop

Ref: 80/00204/FUL **Decision:** PERFPP **Decision Date:** 17 March 1980

Description: Change of use of part of stable block to offices

Ref: 77/00015/FUL **Decision:** PERFPP **Decision Date:** 25 January 1977

Description: Change of use of part of Cuerden Hall to Offices

Ref: 77/00014/FUL **Decision:** PERFPP **Decision Date:** 25 January 1977

Description: Entrance canopy

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:

Title	Plan Ref	Received On
Proposed Basement Plan	240729-PUR-00-XX-DR-A-2001 Rev P01	29 April 2021
Proposed Ground Floor Plan	240729-PUR-00-XX-DR-A-2002 Rev P01	29 April 2021

Proposed First Floor Plan	240729-PUR-00-XX-DR-A-2003 Rev P01	29 April 2021
Proposed Second Floor Plan	240729-PUR-00-XX-DR-A-2004 Rev P02	12 September 2022
Proposed GF Plan - Sheet 1	240729-PUR-00-GF-DR-A-2030 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House GF Plan Sheet 2	240729-PUR-00-GF-DR-A-2031 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House GF Plan Sheet 3	240729-PUR-00-GF-DR-A-2032 Rev P02	12 September 2022
Proposed Wyatt Wing and 1717 House GF Sheet 4	240729-PUR-00-GF-DR-A-2033 Rev P02	12 September 2022
Proposed Wyatt Wing and 1717 House GF Plan Sheet 5	240729-PUR-00-GF-DR-A-2034 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House Basement Plan	240729-PUR-00-B1-DR-A-2010 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House FF Sheet 1	240729-PUR-00-01-DR-A-2035 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House FF Sheet 2	240729-PUR-00-01-DR-A-2036 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House FF Sheet 3	240729-PUR-00-01-DR-A-2037 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House FF Sheet 4	240729-PUR-00-01-DR-A-2038 Rev P01	29 April 2021
Proposed Wyatt Wing and 1717 House FF Sheet 5	240729-PUR-00-01-DR-A-2039 Rev P01	29 April 2021
Proposed Stableyard GF Sheet 1	240729-PUR-00-XX-DR-A-2041 Rev P01	29 April 2021
Proposed Stableyard GF Sheet 2	240729-PUR-00-XX-DR-A-2042 Rev P01	29 April 2021
Proposed Stableyard GF Sheet 3	240729-PUR-00-XX-DR-A-2043 Rev P01	29 April 2021
Proposed Stableyard FF Sheet 4	240729-PUR-00-XX-DR-A-2045 Rev P01	29 April 2021
Proposed Stableyard FF Sheet 5	240729-PUR-00-XX-DR-A-2046 Rev P01	29 April 2021
Proposed Office Wing GF Sheet 1	240729-PUR-00-XX-DR-A-2040 Rev P01	29 April 2021
Proposed Office Wing FF Sheet 1	240729-PUR-00-XX-DR-A-2044 Rev	12 September 2022

	P02	
Lodges, Gates and Railings Proposed Location	240729-PUR-02- XX-DR-A-2300 Rev P02	12 September 2022
Lodges, Gates and Railings Proposed Floor and Roof Plans	240729-PUR-00- XX-DR-A-2301 Rev P01	29 April 2021
Proposed Elevations Stableyard Sheet 01	240729-PUR-00- XX-DR-A-2100 Rev P01	29 April 2021
Proposed Elevations Stableyard Sheet 02	240729-PUR-00- XX-DR-A-2101 Rev P01	29 April 2021
Proposed Elevations Stableyard Sheet 03	240729-PUR-00- XX-DR-A-2102 Rev P01	29 April 2021
Proposed Elevation 1717 House Sheet 04	240729-PUR-00- XX-DR-A-2103 Rev P01	29 April 2021
Proposed Elevation 1717 House Sheet 05	240729-PUR-00- XX-DR-A-2104 Rev P01	29 April 2021
Proposed Elevation Office Wing Sheet 06	240729-PUR-00- XX-DR-A-2105 Rev P02	29 April 2021
Proposed Elevation Wyatt Wing Sheet 07	240729-PUR-00- XX-DR-A-2106 Rev P01	29 April 2021
Proposed Elevation Wyatt Wing Sheet 08	240729-PUR-00- XX-DR-A-2107 Rev P01	29 April 2021
Lodges, Gates and Railings Proposed Elevations	240729-PUR-00- XX-DR-A-2302 Rev P01	29 April 2021
Proposed Repair Elevations	240729-PUR-00- XX-DR-A-2200 Rev P01	29 April 2021
Proposed Repair Elevations Sheet 2	240729-PUR-00- XX-DR-A-2201 Rev P01	29 April 2021
Proposed Repair Elevations Sheet 03	240729-PUR-00- XX-DR-A-2202 Rev P01	29 April 2021
Proposed Repair Elevations Sheet 04	240729-PUR-00- XX-DR-A-2203 Rev P01	29 April 2021
Proposed Repair Elevations Sheet 05	240729-PUR-00- XX-DR-A-2204 Rev P01	12 September 2022
Proposed Repair Elevations Sheet 06	240729-PUR-00- XX-DR-A-2205 Rev P02	12 September 2022
Proposed Repair Elevations Sheet 07	240729-PUR-00- XX-DR-A-2206 Rev P01	29 April 2021
Proposed Repair Elevations Sheet 08	240729-PUR-00- XX-DR-A-2207 Rev P01	29 April 2021
Existing Site Condition	376-L-P-002 Rev	12 July 2021

	P02	
Repair Elevations Office Wing 06	240729-PUR-00-XX-DR-A-2105 Rev P02	12 September 2022
Typical Repair Details, Masonry	077572-CUR-ZZ-ZZ-DR-S-27002-01	29 April 2021
Typical Repair Details, Trusses and Roof	077572-CUR-ZZ-ZZ-DR-S-27001-0	29 April 2021
Roof Repairs	240729-PUR-00-RF-DR-A-2120 Rev P01	10 September 2022
Roof Condition Survey Key	240729-PUR-00-XX-DR-A-2221 Rev P01	29 April 2021
Proposed Bat Loft Option B	240729-PUR-00-XX-DR-A-2151 Rev P01	12 September 2022
Cuerden Bat Volume Options Option 2	240729-PUR-00-XX-M3-A-9010 Rev P01	12 September 2022
Landscape removals, retentions and demolitions	376-L-P-110 Rev P03	22 November 2022
Landscape Proposed Lodge landscape layout	376-L-P-104 Rev P02	24 November 2022
Landscape Layout	376-L-P-101 Rev P11	24 November 2022
Landscape Layout	376-L-P-102 Rev P02	26 May 2021
Garden Sections	376-L-S-103 Rev P00	29 April 2022
Cuerden Close entrance gates	376-L-D-800 Rev P01	29 April 2022
Glasshouse design intent	376-L-D-801 Rev P00	29 April 2022
Location Plan	240729-PUR-00-XX-DR-A-1000 Rev 5	24 November 2022
Existing Basement Floor with Demolition	240729-PUR-00-XX-DR-A-1002 Rev P01	29 April 2021
Existing Ground Floor with Demolition	240729-PUR-00-XX-DR-A-1003 Rev P01	29 April 2021
Proposed First Floor with Demolition	240729-PUR-00-XX-DR-A-1004 Rev P01	29 April 2021
Proposed Second Floor with Demolition	240729-PUR-00-XX-DR-A-1005 Rev P01	29 April 2021
Existing Elevations Stableyard Sheet 01	240729-PUR-00-XX-DR-A-1010 Rev P02	29 April 2021
Existing Elevations Stableyard Sheet 02	240729-PUR-00-XX-DR-A-1011 Rev P02	12 September 2022
Existing Elevations Stableyard Sheet 03	240729-PUR-00-XX-DR-A-1012 Rev P02	12 September 2022
Existing Elevations Sheet 04	240729-PUR-00-	12 September 2022

	XX-DR-A-1013 Rev P02	
Existing Elevations Sheet 05	240729-PUR-00-XX-DR-A-1014 Rev P02	12 September 2022
Existing Elevations Sheet 06	240729-PUR-00-XX-DR-A-1015 Rev P02	12 September 2022
Existing Elevations Wyatt House Sheet 07	240729-PUR-00-XX-DR-A-1016 Rev P02	12 September 2022
Existing Elevations Wyatt House Sheet 08	240729-PUR-00-XX-DR-A-1017 Rev P02	12 September 2022
Proposed Site Plan	240729-PUR-00-XX-DR-A-2000 Rev P03	12 September 2022

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

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

Reason: In the interests of the character and appearance of the Listed Building.

4. Details of the proposed fenestration (windows, doors and other joinery), to include full details at a scale of not less than 1:10 shall be submitted to and agreed in writing by the Local Planning Authority prior to any proposed fenestration works being carried out. All works shall then be undertaken strictly in accordance with the details as approved.

Reason: To maintain the integrity of the historic building.

5. Full details of the proposed rainwater goods, including the eaves detail, to be used on the building shall have been submitted to and been approved in writing by the Local Planning Authority prior to proposed rainwater goods being implemented. All works undertaken on site should be strictly in accordance with the approved details.

Reason: In the interests of the character and appearance of the Listed Building.

6. Full details shall be submitted to and approved in writing by the Local Planning Authority in relation to the type of mortar to be used on the building prior to mortar works being carried out. The required details shall include the ratio of the materials to be used in the mortar, its colour and the proposed finished profile of the pointing. The work shall only be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the Listed Building.

7. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting roof lights to the stable building, only in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the roof light(s) to be used. The work shall only be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the Listed Building.

8. Full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority prior to the

commencement of landscaping works. All works shall be undertaken strictly in accordance with the details as approved and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: In the interests of the character and appearance of the Listed Building and its setting.

9. Prior to their erection, full details of the approved polytunnel and teahouse, including floor plans and elevation drawings shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: In the interests of the character and appearance of the Listed Building and its setting.

10. No works to or demolition or removal of buildings, structures, trees or shrubs shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check for active birds' nests immediately before the works start and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

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

11. Prior to any works taking place above DPC level, 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 and hedgehog holes.

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.

12. Prior to any works taking place above DPC level, a work methodology for the repair and treatment of the listed building, including internal finishes, shall be submitted to and approved in writing by the Local Planning Authority. The methodology should also include details of the exact nature of the conservatory's construction, including sectional details of the windows and roof lanterns and details of how it will physically tie into the building. 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.

13. The works to the listed building shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead:
or
b) a statement in writing form the relevant licensing body or 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.

14. 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.

15. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following:-

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

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

16. There shall be no access restrictions between Cuerden Close and Shady Lane, via the driveway to Cuerden Hall, during the construction phase of the approved development.

Reason: In the interests of highway and pedestrian safety and the amenity of local residents.

17. Prior to the installation of the gates at the western end of the Hall driveway near Shady Lane, details of the measures to enable Cuerden Close residents to pass through the gates unimpeded shall be submitted to and approved by the Local Planning Authority.

Reason: In the interests of the amenity of local residents.

18. Prior to the first occupation of any part of the approved converted listed building, the Cinder Path Tunnel shall be fully repaired in strict accordance with a scheme to be first agreed in writing with the Local Planning Authority.

Reason: To secure the longevity of the Cinder Path Tunnel heritage asset.

19. The Cinder Path Tunnel has been assessed as being of negligible potential of supporting bat roosts. Should the works to the Cinder Path Tunnel (excluding the temporary bridge to be erected over it during the construction work at the Hall) commence after June 2024 (2 years following the most recent bat survey), prior to that work commencing, further bat activity surveys shall be undertaken in consultation with the Council's ecological advisors to establish the potential for the tunnel to support bats. The results of the survey shall be submitted to and approved by the Local Planning Authority prior to any works to the Cinder Path Tunnel commencing.

Reason: To safeguard a protected species.

20. Prior to any earthworks taking place, a method statement detailing eradication and control of Himalayan Balsam shall be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full.

Reason: To avoid the spread of invasive species.

21. No development shall commence (including any earthworks) until details of the means of ensuring the pressurised sewer that is laid within the site boundary are protected from damage as a result of the development have been submitted to and approved by the Local Planning Authority in writing. The details shall include a survey of the exact location of the sewer/s and outline the potential impacts on the asset/s from construction activities and the impacts post completion of the development and identify mitigation measures to protect and prevent any damage to the existing infrastructure both during construction and post completion of the development. The details shall include a pre and post construction condition survey. Any mitigation measures shall be implemented in full in accordance with the approved details.

Reason: In the interest of public health and to ensure protection of the public water supply.

22. Prior to first occupation of the approved converted listed building, details for the storage of wheeled bins and access arrangements for waste collections shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure adequate storage is provided to protect the amenity of the area.

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

Reason: To safeguard the trees to be retained.

24. Prior to any works commencing, including site clearance and preparatory work, an Arboricultural Method Statement and Tree Protection Plan shall be submitted to and approved in writing by the Local Planning Authority. All works shall then be carried out in strict accordance with the approved details.

Reason: In order to protect the trees to be retained.

25. The development permitted by this planning permission shall be carried out in accordance with the principles set out within the site-specific flood risk assessment and surface water sustainable drainage strategy 077572-CUR-00-XX-RP-Z-92001 produced on 14/04/2021 by Curtins.

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, Defra Technical Standards for Sustainable Drainage Systems and Policy 17 of the Central Lancashire Core Strategy.

26. No development shall commence (excluding repair and refurbishment) 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 site-specific flood risk assessment and 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 (1 in 1, 1 in 30 and 1 in 100 year + 40% climate change event), with allowance for urban creep, 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 of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates and groundwater levels in accordance with BRE 365, to include the locations of any proposed soakaways.
- d) Evidence of an assessment of the existing on-site surface water drainage systems to be used, to confirm that these systems are in sufficient condition and have capacity to accept surface water runoff generated from the development.
- e) 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.
- f) Evidence of an agreement in principle with the third-party asset owner to connect to the off-site surface water body.
- g) A model of the existing drainage system to demonstrate:
 - i. Current runoff rates and volumes for the 1 in 1, 1 in 30 and 1 in 100 year + 40% climate change event
 - ii. That flooding does not occur on any part of the site for the 1 in 30 year event
 - iii. That flooding does not occur in any buildings for the 1 in 100 year + 40% climate change event.

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, Defra Technical Standards for Sustainable Drainage Systems and Policy 17 of the Central Lancashire Core Strategy.

27. 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 greenfield runoff rate from the site.

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 flood risk on-site or elsewhere during any construction phase in accordance with Paragraph 167 of the National Planning Policy Framework.

28. 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 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.

29. 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 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.

30. Details of the arrangements for emptying the swimming pool (including any pumping arrangements) shall be submitted to the local planning authority and agreed in writing prior to

works to the swimming pool commencing. The details shall include a restricted rate of discharge agreed with the local planning authority for any emptying of the swimming pool to the public sewer. The development shall be completed and maintained in accordance with the approved details and retained thereafter for the lifetime of the development.

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

31. No works shall take place until the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis to at least level 2 as outlined in Understanding Historic Buildings: A Guide to Good Recording Practice (Historic England 2016). This must be carried out by a professionally qualified archaeological/building recording consultant or organisation. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority. The programme should include the following:

- Photographic record of the Stables
- Drawn and photographic record of the Cinder Path Tunnel
- Earthwork survey of the woodland features in Wilbraham's Wood identified by the ARM 2013 DBA
- Test pitting and trial trenching, as outlined in the Matrix Archaeology 2021 DBA

Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building.

32. Bluebells are listed on Schedule 8 of the Wildlife and Countryside Act, 1981 (as amended) which makes it illegal to collect bulbs from the wild for commercial/sale purposes. Where they can't be retained and protected (the preferential option) a method statement for their translocation to a suitable receptor site shall be submitted to and approved in writing by the Local Planning Authority. Works shall then be undertaken in strict accordance with the approved method statement.

Reason: To protect bluebells.

33. A programme of archaeological work (building recording, earthwork survey and evaluation by test pitting and trial trenching) in accordance with a written scheme of investigation, which shall be submitted to and approved in writing by the local planning authority, shall be undertaken. Where the programme of test pitting and/or trial trenching encounters archaeological features that require further archaeological investigation, such works will be the subject of a separate supplementary written scheme of investigation. All archaeological works shall be undertaken by an appropriately qualified and experienced professional archaeological contractor and comply with the standards and guidance set out by the Chartered Institute for Archaeologists (CIfA). The development shall be carried out in accordance with the agreed details.

Reason: To ensure and safeguard the investigation and recording of matters of archaeological/historical importance associated with the development.

34. Prior to any works taking place involving the approved conservatory, a work methodology detailing the exact nature of the conservatory's construction, including sectional details of the windows and roof lanterns and details of how it will physically tie into the building shall first 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 extension is appropriate to the listed building.

35. Prior to its installation, full details of the approved temporary bridge over the Cinder Path Tunnel shall be submitted to and approved in writing by the Local Planning Authority. The works shall thereafter be undertaken in strict accordance with the approved details.

Reason: To ensure the bridge will not cause further harm to the Cinder Path Tunnel.