

Planning Statement of Common Ground

Hollins Strategic Land and Metacre Ltd.

Appeal A – APP/D2320/W/21/3284692

Land at Carrington Road, Adlington

Appeal B – APP/D2320/W/21/3284702

Land South of Parr Lane Ecclestone

1. Introduction

- 1.1. This Statement of Common Ground has been prepared jointly by De Pol Associates on behalf of Metacre Ltd and Sedgwick Associates on behalf of Hollins Strategic Land and Chorley Council.
- 1.2. The Statement relates to appeals against the Council's refusal of outline planning applications for Land at Carrington Road Adlington for up to 25 dwellings (Appeal A) and land south of Parr Lane, Ecclestone for up to 34 dwellings (Appeal B).
- 1.3. This SoCG sets out the areas of Common Ground and matters of dispute between parties and should be read in conjunction with the five year housing land supply SoCG also pertinent to these appeals. The Statement is prepared as follows:
 - Appeal A – land at Carrington Road
 - Appeal B – land south of Parr Lane
 - Areas of Agreement
 - Areas of Disagreement
- 1.4. In relation to Appeal B it is agreed between the appellant and the Chorley Council that the description of development is amended from :

outline planning permission (with all matters reserved) for the development of land off Parr Lane, Ecclestone for up to 34 dwellings and associated infrastructure (including 30% affordable housing)

to

outline planning permission (with all matters reserved) for the development of land off Parr Lane, Ecclestone for up to 34 dwellings and associated infrastructure (including 35% affordable housing)

It is agreed that the above is the description upon which the application was assessed, and the Committee refused the application.

2. Appeal A – Land at Carrington Road

- 2.1 The application for Appeal A was submitted by Sedgwick Associates on behalf of Hollins Strategic Land. The application sought outline planning permission (specifying the access point) for the development of up to 25 dwellings and associated infrastructure (including 35% affordable housing). All matters are reserved save for access.
- 2.2 The application was received on 9th November 2020 referenced 20/01200/OUTMAJ. The application was reported to Committee on 12 April 2021 with a recommendation for refusal.

Description of the Site

- 2.3 The application site is 0.85 ha in extent and forms part of a wider parcel of land designated as Safeguarded Land under Chorley Local Plan 2012 – 2026 policy BNE3 (BNE3.3 North of Bond's Lane, Adlington), with the north/north-western section of the site falling within the Green Belt. The site consists of relatively flat undeveloped grassland. The site is bordered by allotment gardens to the east with fields beyond, residential properties to the south east and south west (Stonor Road

and Carrington Road), an active sand quarry off the north western site boundary beyond the Public Right of Way (FP11) that runs along the urban edge and north western boundary of the site.

- 2.2 Vehicular access into the site is proposed along the existing Carrington Road, which is an adopted residential access road. Pedestrian and cycle access is also proposed from the southern corner of the site along Stonor Road, which links via Bonds Lane to Park Road and thence eastwards over the Leeds and Liverpool Canal Bridge to Adlington town centre and the railway station.

Description of the Area

- 2.3 The site lies adjacent to a residential area and is about 500m east of Adlington centre and railway station. The Leeds and Liverpool Canal runs between the site and Adlington centre and this includes a marina, boat launching ramp, car parking and other facilities.

- 2.4. Policy 1 (Locating Growth) of the adopted Core Strategy identifies Adlington as an Urban Local Service Centre. The site sits outside but adjoining the Settlement Area as per Chorley Local Plan Policy V2.

Planning History

- 2.5. 17/00411/OUTMAJ Decision: refused
Decision Date: 13 September 2017
Description: Outline application for residential development for up to 25 dwellings with all matters reserved save for access from Carrington Road
- 2.6. 18/00863/OUTMAJ Decision: refused
Decision Date: 6 November 2018
Description: Outline application for residential development for up to 25 dwellings with all matters reserved save for access from Carrington Road
Appealed: Ref APP/D2320/W/19/3228123, dismissed 31 July 2019

Reasons for Refusal

- 2.7. The application was refused by the planning committee for the following reasons:
1. The proposed development would be located within an area of Safeguarded Land as defined by the Chorley Local Plan 2012 - 2026. Chorley has a five year housing land supply as required by the National Planning Policy Framework. The proposal therefore conflicts with policy BNE3 of the Chorley Local Plan 2012 - 2026. It is not considered that there are material considerations put forward in favour of the development are sufficient to outweigh the presumption against it.
 2. The application site is proposed in isolation from the wider site allocation BNE3.3 of the Chorley Local Plan 2012 -2026 and, therefore, leads to a piecemeal approach to the development of the wider site which results in an unsustainable form of development. It fails to consider patterns of movement and connectivity which means that the development does not integrate or function well with the surrounding area. The proposal does not, therefore promote sustainable transport options for people or secure a high-quality inclusive design. The proposal is, therefore, contrary to policy 17 of the Central Lancashire Core Strategy 2012, policy ST1 of the Chorley Local Plan 2012 - 2026 and the National Planning Policy Framework.

3. The proposed development would be inappropriate development in the Green Belt and, therefore, harmful by definition. There would also be other harm through encroachment. It is not considered that there are very special circumstances to overcome the definitional harm to the Green Belt and additional harm caused through encroachment. The proposal is therefore contrary to the National Planning Policy Framework.
- 2.8. The Council, in their Statement of Case (SoC), has confirmed that reasons for refusal numbers 2 and 3 above are not being pursued.

Section 106 Agreement

- 2.9. A Section 106 agreement will make provision for 35% on-site affordable housing, £134/dwelling for children and young people's provision, £1,467/dwelling for improvement of parks and gardens, £557/dwelling for natural and semi-natural greenspace enhancement, £15/dwelling for allotments and £1,599/dwelling for playing pitches. . On-site amenity greenspace will be provided and therefore a maintenance contribution of £17,500 required for a 10 year period will be paid unless private maintenance is proposed and secured. A contribution towards the provision of 4 secondary education school spaces is required at a cost of £92,247.00, subject to recalculation based on bedrooms achieved at reserved matters stage.

3. Appeal B – Land South of Parr Lane

- 3.1. The application for Appeal B was submitted by De Pol Associates Ltd on behalf of Metacre Ltd. The application sought outline planning permission (with all matters reserved) for the development of land off Parr Lane, Ecclestone for up to 34 dwellings and associated infrastructure (including 30% affordable housing). The provision of affordable housing was amended to 35% before the application was reported to committee.
- 3.2. The application was received on 6th November 2020 referenced. 20/01193/OUTMAJ. The application was reported to committee on 12th April 2021 with a recommendation for refusal.

Site Description

- 3.3. The site comprises circa 1.5 ha of undeveloped grassland on the north eastern edge of Ecclestone. The application site forms part of a wider parcel of land designated as Safeguarded Land under Chorley Local Plan 2012-2026 policy BNE3 (BNE3.8 Between Bradley lane and Parr Lane, Ecclestone). The appeal site is the only part of the Safeguarded Land not identified as existing open space. The site is currently used as grazing land and is bound on all four sides with a combination of shrub, broken hedgerows and scattered tree planting. None of these are subject of tree preservation orders. A drainage ditch runs along the eastern site boundary and a small stable building is located to the north east of the site. Access is off Parr Lane.

- 3.4. The site lies to the south of Parr Lane, which runs east-to-west across the northern boundary of the site. The western site boundary immediately adjoins the side and rear gardens of existing residential properties, beyond which is the wider settlement of Ecclestone. The southern site boundary adjoins Ecclestone recreational ground, which comprises a series of playing pitches and equipped play provision. Beyond the eastern site boundary are open fields and an area of mature woodland separated by a ditch.

Description of the Area

- 3.5. The appeal site is located in the north east of the settlement of Ecclestone, a settlement centrally located within the Chorley Local Authority Area. The settlement is east of the M6 and is accessed via the B5250, the main road which runs north to south through the village connecting to Coppull to the south and Ulnes Walton and Leyland beyond to the north.
- 3.6. Ecclestone is designated as a Rural Local Service Centre as defined in the adopted Central Lancashire Core Strategy (Policy 1). The site sits outside the Settlement Area as defined on the adopted Chorley Local Plan Policy Map. Overall the settlement is predominantly residential in character with commercial uses focused around the Carrington Centre which comprises a shopping precinct and other associated services including convenience store, post office and Library which is a short distance from the appeal site.

Planning History

- 3.7. The relevant planning history for the site is as follows:
- Outline application (with all matters reserved) for erection of up to 33 dwellinghouses and the provision of community allotments 17/00792/OUTMAJ – refused 7 August 2017

Reason for Refusal

- 3.8. The application was refused on 12 April 2021 by Chorley Planning Committee for the following reason:
- The proposed development would be located within an area of Safeguarded Land as defined by the Chorley Local Plan 2012-2026. Chorley has a five year housing land supply as required by the National Planning policy Framework. The proposal therefore conflicts with Policy BNE3 of the Chorley Local Plan 2012-2026. It is not considered that there are material considerations put forward in favour of the development are sufficient to outweigh the presumption against it.*

Section 106 Agreement

- 3.9. A Section 106 agreement will make provision for 35% on-site affordable housing, the future management of the proposed public open space and habitat areas, natural and semi-natural greenspace contribution at £577/dwelling and £1,599/dwelling for paying towards the improvement of existing playing pitches. A financial contribution of £73,304 would be required based on the number of units proposed (34 units). Should private maintenance of amenity greenspace not be

proposed, a further £23,800 will be required to be accommodated in the Section 106 agreement; totalling £97,104.

4. Development Plan Documents

- 4.1. The adopted Development Plan comprises:
- The Central Lancashire Core Strategy (CS) which was adopted in July 2012 and covers the period 2010-2026. This is a joint Core Strategy between Preston City Council, South Ribble Borough Council and Chorley Borough Council and covers the three administrative boundaries, which form a single housing market area (HMA). It sets out the strategic policies for the HMA.
 - Chorley Local Plan 2012-2026 (Site Allocations and Development Management Policies Development Plan Document), which was adopted in July 2015 and allocates land to meet the development needs of Chorley to achieve the vision set out in the CS. It also sets out development management policies for the Authority Area.
 - Joint Lancashire Minerals and Waste Local Plan
- 4.2. There are no neighbourhood plans associated with either appeal site.
- 4.3. The Parr Lane appeal is not within an area of mineral safeguarding, but much of Carrington Road appeal site is within a minerals safeguarding area. Policy M2 of the Minerals and Waste Plan is relevant to the Carrington Road appeal.
- 4.4. The relevant policies of the adopted Central Lancashire Core Strategy (CS) comprise:
- Policy 1: Locating Growth
 - Policy 4: Housing Delivery
 - Policy 5: Housing Density
 - Policy 7: Affordable Housing and Special Needs Housing
 - Policy 14: Education
 - Policy 17: Design of New Buildings
 - Policy 22: Biodiversity and Geodiversity
 - Policy 27: Sustainable Resources and New Developments
 - Policy 29: Water Management
- 4.5. The relevant policies of the Adopted Chorley Local Plan 2012-2026: Site Allocations & Development Management Policies comprise:
- Policy V2: Settlement Areas
 - Policy ST1: Provision or Improvement of Footpaths, Cycleways, Bridleways and their Associated Facilities in Existing Networks and New Developments
 - Policy ST4: Parking Standards
 - Policy HS4A: Space Requirements in New Housing Developments
 - Policy HS4B: Play Pitch Requirements in New Housing Developments
 - Policy BNE1: Design Criteria for New Development
 - Policy BNE3: Areas of Land Safeguarded for Future Development Needs
 - Policy BNE9: Biodiversity and Nature Conservation

- Policy BNE10: Trees

- 4.6. The three Central Lancashire Authorities are currently undertaking a review of the development plan(s) for the area and are working towards the preparation of a Joint Central Lancashire Local Plan (CLLP). This will be a single planning document containing the Councils' vision and objectives. This is at an early stage of production with the stage 1 consultation on Issues & Options (I&O19) having closed in February 2020. The stage 2 Preferred Options was expected to be published for consultation before the end of 2021, however this has been delayed due to Covid-19. Currently the authorities intend to submit the CLLP to the Planning Inspectorate for examination in March 2023, with its adoption anticipated at the end of 2023. The most recent published plan period for the CLLP starts in 2021.

5. Areas of Agreement

Technical Matters

- 5.1. Each of the appeal sites comprises Grade 3 agricultural land. It is not known whether this comprises best and most versatile agricultural land.
- 5.2. There is agreement that both appeal sites can be accessed safely (subject to mitigation) and there is no objection from the local highways authority subject to conditions.
- 5.3. The level of trips generated by the proposals can be acceptably accommodated within both the local and strategic road networks.
- 5.4. Neither of the appeal sites form part of a statutory or non-statutory designated site for nature conservation, nor would the appeal proposals detrimentally affect a statutory or non-statutory designated site.
- 5.5. Neither appeal site falls within an Air Quality Management Area (there are none within Chorley) and the development would not have an unacceptable impact on air quality.
- 5.6. Both appeal sites are located within Flood Zone 1 and it is agreed that surface water can be appropriately managed through detailed design to avoid an increased risk of flooding on and off site.
- 5.7. There is no objection in principle from United Utilities.

Design and Layout

- 5.8. Whilst both appeals are in outline (with all matters reserved excluding access), it is agreed a suitably detailed scheme could be secured for each site at Reserved Matters stage in compliance with relevant development plan / NPPF policy on layout and design.
- 5.9. Both appeal proposals represent an efficient use of land, comprising an acceptable density of development.

- 5.10. Subject to the provision of an acceptable layout and design at Reserved Matters stage, it is expected that both appeal proposals would be able to incorporate a satisfactory amount of green/open space at reserved matters stage in line with policy.
- 5.11. It is agreed that a satisfactory Reserved Matters scheme could be designed on each of the sites to avoid unacceptable impacts on the amenities of neighbouring properties, including matters relating to privacy, overlooking, loss of light and overshadowing.

Accessibility and Sustainability

- 5.12. The appeal sites are sited adjacent to their respective settlements and the proposed developments would be located in a sustainable location within walking distance of existing facilities.
- 5.13. The appeal sites are within reasonable walking distance of bus stops and are accessible to modes of transport other than the private car.
- 5.14. Overall it is agreed that both appeal sites are located in accessible, sustainable locations within walking distance of services, facilities and public transport.

Landscape

- 5.15. It is agreed that subject to acceptable layout and design, including retention of key landscape features where applicable, neither scheme would have an unacceptable impact on the landscape character or landscape features

Development Plan Policy and Emerging Plan

- 5.16. It is agreed that whilst there is conflict, in respect of both appeals, with Policy BNE3 of the Chorley Local Plan the proposal complies with the other adopted development plan policies referred to in section 4 of this SoCG.
- 5.17. It is agreed that, in the context of NPPF paragraph 11 d) the most important policies for the determination of the appeal are CS Policy 1, CS Policy 4 and Chorley Local Plan Policy BNE3.
- 5.18. It is common ground that the effect of the Safeguarded Land and Green Belt policies is to ensure the longevity of Green Belt boundaries and safeguard for future development needs beyond the plan period.
- 5.19. It is agreed that the approval of the appeal proposals would not conflict with paragraphs 49 and 50 of NPPF in that i) the plan has not reached an advanced stage and ii) the appeal proposals are not of a scale which would result in the pre-determination of decisions about the overall scale, location or phasing of new development in the emerging plan.
- 5.20. It is agreed that both sites are suggested for residential development in the emerging Local Plan, Annex 1, however, these are subject to further assessment and may change. The Council will be reviewing all proposed land releases through the Local Plan process, and each site will be subject to evaluation against the emerging suite of evidence to support a robust local plan for the next 15-20 years. It is agreed that the emerging Local Plan identifies all but one of the Safeguarded

sites as suggested sites for housing development, but their allocation is not proposed at this stage.

- 5.21. It is agreed that some Safeguarded Land will be required to be released to meet the housing needs of Chorley over the next plan period.
- 5.22. It is agreed between the parties that, having regard to paragraph 11d (i) and footnote 7 of the NPPF, there are no specific and relevant policies in the Framework (in relation to footnote 7) which provide a clear reason for refusing the developments proposed.
- 5.23. It is agreed that if the Council cannot demonstrate a five year housing land supply, the most important policies for the determination of the appeals are out of date by the provisions of paragraph 11d (ii) and footnote 8 of the framework.

6. Benefits of the appeal proposals

- 6.1. Both appeal proposals will deliver affordable housing in accordance with policy at 35 percent. It is agreed that there is a substantial need for affordable housing.
- 6.2. It is agreed that both appeals will contribute towards the delivery and choice of market housing which will generate social and economic benefits.
- 6.3. It is agreed that the appeal developments would have economic benefits in helping support local services, generating direct stimulus to the local economy and indirect benefits to local enterprise requiring a local labour force during the construction period.
- 6.4. It is agreed that small and medium sized sites make an important contribution to meeting the housing requirement of an area. It is agreed that the appeal sites are medium sized.
- 6.5. There may be environmental benefits through the potential for biodiversity enhancement.

7. Areas of Disagreement

- 7.1. Whether policies in the Development Plan, most important for determining the appeal are “out-of-date”.
- 7.2. Whether the NPPF Paragraph 11 ‘tilted balance’ is engaged.
- 7.3. Whilst paragraph 5.19 above is agreed the relevance and/or weight is not agreed.
- 7.4. Whether there are material considerations which outweigh the conflict with the development plan irrespective of whether the ‘tilted balance’ is engaged.

Signed  On behalf of Metacre Limited

Name: Chris Betteridge

Date 18/01/2022

Signed  On behalf of Hollins Strategic Land

Name: Paul Sedgwick

Date 18/01/2022

Signed  On behalf of Chorley Council

Name: Chris Moister

Date 18/01/2022