

Date: 22 December 2021
Our Ref: 21/01028/OUTMAJ
Please ask for: Mr Iain Crossland

Miss Claire Pegg
Cushman & Wakefield
1 Marsden Street
Manchester
M2 1HW

Planning Application

Dear Ms Pegg,

Proposal: Hybrid planning application seeking: Outline planning permission (with all matters reserved except for means of access, parking and landscaping) for a new prison (up to 74,531.71 sqm GEA) (Class C2A) within a secure perimeter fence following demolition of existing buildings and structures and together with associated engineering works; Outline planning permission for a replacement boiler house (with all matters reserved except for access); and Full planning permission for a replacement bowling green and club house (Class F2(c)) on land adjacent to HMP Garth and HMP Wymott, Leyland

Location: HM Prison Wymott Moss Lane Ulnes Walton Leyland PR26 8LW

Reference: 21/01028/OUTMAJ

Please find attached the Decision Notice in respect of the above application. The 'important notes' attached to the notice should be read carefully, they will help you to understand this decision, your rights and other things you may have to do.

Chief Planning Officer
Chorley Council

REFUSAL OF OUTLINE PLANNING PERMISSION & FULL PLANNING PERMISSION

Town and Country Planning Act 1990

Applicant:

Ministry Of Justice
C/o Cushman & Wakefield 1 Marsden Street Manchester M2 1HW

Agent:

Miss Claire Pegg, Cushman & Wakefield
1 Marsden Street Manchester M2 1HW

Application Number	Date Received
21/01028/OUTMAJ	24 August 2021

The Development:

Hybrid planning application seeking: Outline planning permission (with all matters reserved except for means of access, parking and landscaping) for a new prison (up to 74,531.71 sqm GEA) (Class C2A) within a secure perimeter fence following demolition of existing buildings and structures and together with associated engineering works; Outline planning permission for a replacement boiler house (with all matters reserved except for access); and Full planning permission for a replacement bowling green and club house (Class F2(c)) on land adjacent to HMP Garth and HMP Wymott, Leyland

Location:

HM Prison Wymott Moss Lane Ulnes Walton Leyland PR26 8LW

Chorley Borough Council (the Local Planning Authority) gives notice of its decision to **Refuse Outline Planning Permission** and **Full Planning Permission** for the development for the following reasons –

1. The proposed development would have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development on that part of the site that is previously developed and would encroach onto open countryside and is inappropriate development in the Green Belt. Substantial weight attaches to the harm to the Green Belt by reason of inappropriateness and further harm arising here by reason of the impact of the proposed development on the openness of the Green Belt and encroachment. The benefits associated with the proposed development would not clearly outweigh the resulting harm and, therefore, do not constitute, individually or cumulatively, very special circumstances required if inappropriate development is to be approved in the Green Belt in accordance with paragraph 148 of the National Planning Policy Framework.
2. The proposed development would have an unacceptable impact on highway safety by virtue of the increased traffic movements and inadequate highway infrastructure, contrary to paragraph 109 of the National Planning Policy Framework and policy BNE1 of the Chorley Local Plan 2012 - 2026.
3. The potential noise nuisance and disturbance associated with the vehicular traffic movements that would be generated throughout the use of the development would result in a harmful impact on the amenity of residents in the locality contrary to policy BNE1 of the Chorley Local Plan 2012 - 2026.

Please Note: The proposal would not improve the economic, social and environmental conditions of the area nor does it comply with the development plan and therefore does not comprise sustainable development. There were no amendments to the scheme, or conditions which could reasonably have been imposed, which

could have made the development acceptable and it was therefore not possible to approve the application. The Local Planning Authority has therefore implemented the requirement of Paragraph 38 of the NPPF.

This decision has been made having regard to the policies of the Development Plan which comprises the Adopted Central Lancashire Core Strategy (2012) and the Adopted Chorley Local Plan 2012-2026 and all other relevant planning policy and guidance including National Policy (the Framework), supplementary planning guidance and supplementary planning documents and Corporate documents of the Council.

Signed:

Date: 22 December 2021

Chief Planning Officer, Chorley Council

Please read the notes attached to this notice carefully. They will help you to understand this decision, your rights and other things you may have to do. Further information is available at chorley.gov.uk/planning.

REFUSAL OF OUTLINE PLANNING PERMISSION & FULL PLANNING PERMISSION

Important Notes

- 1 This decision is to refuse planning permission. To carry out any development without planning permission may result in legal action being taken by the Council.
- 2 You can appeal to the Secretary of State against refusal of permission by the Council. However, it may help to discuss the position with the Council officers first.
- 3 We aim to provide a fair and helpful service. Should you be unclear as to any aspect of this decision, wish to discuss the decision, are concerned that the application was not dealt with properly, or have any comments on the Council's planning services, please write to the Head of Planning or email contact@chorley.gov.uk quoting any relevant planning application number.

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.
- If you want to appeal, then you must do so within six months of the date of this notice **OR 12 WEEKS IF A HOUSEHOLDER APPLICATION**. Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Inspectorate will publish details of your appeal on the internet. This may include a copy of the original planning application form and relevant supporting documents supplied to the local authority by you or your agent, together with the completed appeal form and information you submit to the Planning Inspectorate. Please ensure that you only provide information, including person information belonging to you that you are happy will be made available to others in this way. If you supply personal information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Inspectorate website.
- The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances that excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against the decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months (12 weeks in the case of a householder appeal) of the date of this notice, whichever period expires earlier.
- If you intend to submit an appeal that you would like examined by Public Inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least 10 days before submitting the appeal. Further details are on GOV.UK.

Purchase Notices

If either the local planning authority or the Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.