



**WRITTEN STATEMENT
OF
CHORLEY BOROUGH COUNCIL**

APP/D2320/W/22/3295556

**APPEAL BY
Ministry Of Justice**

**SITE LOCATION:
HM Prison Wymott
Moss Lane
Ulnes Walton
Leyland
PR26 8LW**

CONTENTS

SECTIONS

1. Introduction
2. Site Description and Reasons for Issuing the Notice
3. Relevant Planning Policy
4. Relevant Planning History
5. Appellant's Case
6. Local Planning Authority's Response to Appellant's Case
7. Planning Balance
8. Suggested Conditions

1. **INTRODUCTION**

1.1 This appeal is brought against the decision by Chorley Borough Council to refuse planning permission for:

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

1.3 The development for which planning permission is sought is split into three distinct parts.

1.4 The main part of the application is in outline, with all matters reserved except for means of access, parking and landscaping, and seeks outline planning permission 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. This would be located on land to the north of HMP Wymott and east of HMP Garth with vehicular access from Moss Lane. An illustrative masterplan has been submitted in support of the proposed development that sets out how the development might be accommodated on the site (in principle). The indicative plans submitted in support of this element of the application include the following:

- Seven new houseblocks up to four storeys in height each accommodating up to 245 prisoners (1,715 prisoners in total), totalling c.53,472 sqm GEA.
- Supporting development including buildings of one to three storeys providing kitchens, workshops, kennels, Entrance Resource Hub, Central Services Hub and support buildings, totalling c. 21,060 sqm GEA.
- Ancillary development including car parking (c. 525 spaces), internal road layout and perimeter fencing totalling 1,326 linear meters enclosing a secure perimeter area of 10.5 ha.

1.5 The site would be broadly split into the public zone and the secure area. The public zone comprises the car parking area and pedestrian access points up to the entrance plaza. The secure compound area of the site would be enclosed by a perimeter fence extending to 5.2m high. The fence would comprise a steel post and weldmesh panel fence with 2.4m high steel sheet in an inner concrete apron. The fence would not be externally lit, instead lit

internally, whilst CCTV cameras would be mounted on columns inside the secure perimeter.

- 1.6 Outline planning permission, with all matters reserved except for access, is sought for the erection of a replacement boiler house. The indicative plans submitted in support of this element of the application include the provision of a 41m by 14m boiler house building of approximately 9m in height with supporting plant and boundary fencing, and located to the east of Wymott Prison, within the existing developed area of the prison site.
- 1.7 Full planning permission is sought for a replacement bowling green and club house on land to the south of Wymott Prison. This element of the proposal would include the provision of a 1600 square metre bowling green with 4no. floodlighting columns, club house, open fronted shelters, storage buildings, fencing, car park with 37no. spaces, access and landscaping. The club house would be a flat roofed structure of approximately 3.2m in height, whilst the shelters and stores would also be approximately 3.2m in height. These would be faced in timber cladding with grey rubber roofing. The fencing would be close boarded timber fencing up to approximately 2m in height.
- 1.8 A request for an Environmental Impact Assessment (EIA) Screening Opinion was submitted to the Council on the 09 August 2021. The letter indicated that whilst the development falls into schedule 2, Part 10(b) of the Town and Country Planning Act (Environmental Impact Assessment) (England) Regulations 2017 as Amended, it would not have a significant negative environmental impact to the surrounding area and that any potential impacts can be controlled and mitigated effectively through the planning process. The Council formally adopted a Screening Opinion on 08 September 2021 to the effect that the Proposed Development does not require an EIA.

2. SITE DESCRIPTION AND REASONS FOR REFUSAL

- 2.1 The application site is located in the Green Belt at Ulnes Walton and comprises 43.5 ha of land in MoJ ownership. It surrounds HMP Garth and HMP Wymott in the west of the Borough of Chorley, close to the boundary with South Ribble district, which lies to the north. The character of the area is that of agricultural land set within a flat topography with clusters of dwellings and agricultural buildings, whilst the immediate area of the application site is dominated by the presence of the prison buildings and associated development.
- 2.2 HMP Garth comprises an 850 capacity Category B men's prison, whilst HMP Wymott comprises a Category C men's training prison with a capacity of c. 1,200. These comprise a range of large scale buildings of functional design, some of which are contained within a secure boundary wall. The site and adjacent prisons are situated on land, which was formerly an army

ammunition depot, the remnants of which are still visible in the landscape to the north of the site. There is a residential housing estate to the east of the site that was formerly associated with the original prison development, however, this is now functionally separate.

- 2.3 There are no listed buildings on the site or in close proximity to it. The site is not in a conservation area nor does it include or form part of a Scheduled Monument. The site is not a designated nature conservation site (i.e. SSSI, local nature reserve).
- 2.4 The new prison would be located on land to the north of HMP Wymott and the east of HMP Garth. The site is partly in agricultural use, including associated farm buildings, and partly in use for ancillary prison purposes, containing a boiler house with biomass boiler, which serves both prisons. Wymott Bowling Club is located in the east of the site, and a former ammunitions storage building and man-made mound located in the north east. A pumping station is located just off Pump House Lane.
- 2.5 The south east area of the site presently provides sports fields and recreation space within the perimeter fence of HMP Wymott. An 'L' shaped belt of mature trees runs along the northern boundary before turning southwards and running across the centre of the site, separating the agricultural area from the existing boiler house.
- 2.6 Pump House Lane dissects the eastern area, running north from Willow Road. It then splits, turning west to connect to Ridley Lane or north to connect to Nixon Lane. Pump House Lane is considered to be an unadopted bridleway route and has been treated as a prescriptive right of way. Similarly, a footpath running east-west along the south boundary of the new prison site has been treated as an unadopted right of way in this application.
- 2.7 The new boiler house would be located on land between HMP Garth and HMP Wymott, to the south west of the new prison site. The site currently comprises hardstanding used informally for car parking, as well as gas meter housing and a single storey portacabin office.
- 2.8 The proposed bowling green would be located on grass pasture land to the south of the existing prisons, to the south west of the roundabout on the internal access road to the prisons.
- 2.9 The remaining land area within the red line boundary would be used to deliver the required biodiversity net gain. This land currently comprises grassland and a small number of ponds.
- 2.10 The Council consider that planning permission should be refused for the following reasons and that planning conditions cannot overcome the reasons for refusal:

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.*

3. RELEVANT PLANNING POLICY

3.1 National Planning Policy Framework

- 9. Promoting sustainable transport
- 13. Protecting the Green Belt

Chorley Local Plan 2012 – 2026

Policy BNE1: Design Criteria for New Development

4. RELEVANT PLANNING HISTORY

- **Ref:** 21/00968/SCE **Decision:** Screening Opinion Not Required
Decision Date: 8 September 2021
Description: Request for Screening Opinion pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for a new Category C Resettlement Prison and associated uses and access located to the north of HMP Garth and HMP Wymott; including 7 houseblocks, each occupying up to 245 prisoners; and support buildings, including kitchen, workshops and a central services hub, totalling c. 21,000 sqm

- **Ref:** 21/01320/DEMCOM **Decision:** Demolition Approved
Decision Date: 6 December 2021
Description: Application for prior determination for the proposed demolition of a building associated with HM Prison Wymott and described as J Wing

5. APPELLANT'S CASE

- 5.1 The proposed development falls within the designated Green Belt, whereby the development of a prison of the scale proposed is such that it comprises inappropriate development within the Green Belt. The appellant considers that there are very special circumstances that outweigh the harm to the Green Belt and any other harm resulting from the proposed development.
- 5.2 The proposed development will not give rise to an unacceptable impact on highway safety and is in fact compliant with paragraph 111 of the Framework3 and Policy BN1 of the Chorley Local Plan.
- 5.3 The additional traffic movements generated by the development will not give rise to an unacceptable impact by way of noise or other disturbance, such as vibration or impact from headlights. It is contended that the application is wholly compliant in this regard with the NPPF and Policy BNE1 of the Chorley Local Plan.

6. LOCAL PLANNING AUTHORITY'S RESPONSE TO APPELLANT'S CASE

- 6.1 The case for the Local Planning Authority is straightforward. It is that the proposed development would have multiple unacceptable harmful impacts upon the Green Belt, highway safety and the amenity of residential occupiers.
- 6.2 **Harm 1 – Inappropriate development by definition within the Green Belt.**
- 6.3 The proposed development is, by definition, inappropriate within the Green Belt and such harm is automatically afforded substantial weight in the planning balance of the decision-making process. The development, causes substantial, demonstrable harm to the Green Belt by reason of its inappropriateness.
- 6.4 The proposed development would not meet with any of the exceptions to inappropriate development set out at paragraph 149 of the Framework. Substantial weight should be attached to the harm by reason of inappropriateness as set out at paragraph 148 of the Framework.
- 6.5 As such the tests of paragraph 148 of the Framework are engaged. This sets out that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations. The proposal must be considered in its entirety in order to properly consider the harm, benefits and other considerations in the Green Belt balance.
- 6.6 The harm to the Green Belt comprises:

- Harm to the Green Belt by reason of inappropriateness to which substantial weight is attached;
 - Harm to openness to which substantial weight is attached.
 - The harm to the purposes of the Green Belt are set out at paragraph 138 of the Framework, which identifies the five purposes of the Green Belt. An assessment of the application site in relation to the five purposes is set out below:
- 6.7. Purpose 1: Check the unrestricted sprawl of large built up areas. The majority of the application site is located within an allocation as a Previously Developed Site and is relatively well-contained by the existing development of HMP Garth to the west, HMP Wymott to the south and the Wymott residential estate to the east. The existing prisons in particular are significant in terms of their scale and massing.
- 6.8. The site is not adjoined to any large built-up area and as such does not fulfil this purpose, but is rather associated with an existing major developed site in a relatively isolated location. Whilst the proposed development would comprise a significant built form, it is not considered that it would lead to the unrestricted sprawl of a large built-up area due to the existing separation from large built up areas and the relative containment. As such there would be no conflict with this purpose.
- 6.9. Purpose 2: Prevent neighbouring towns merging into one another. Development of the site would not lead to the coalescence of neighbouring villages. The Site is located between the village of Ulnes Walton, which lies to the south and the town of Leyland, which lies to the north, whilst the larger village of Croston lies to the west. A significant area of open undeveloped land would remain between these settlements. It is, therefore, considered that the proposed development would not have a significant impact on the merging of neighbouring towns.
- 6.10. Purpose 3: Assist in safeguarding the countryside from encroachment. The majority of the site comprises previously developed land associated with the prison and historic WWII ammunition storage use of the site. Existing built form at the site includes a number of farm buildings and grazing land (managed by the existing adjoining prisons), a bowling green and disused social club. There are, however, significant areas of undeveloped grassland, and in particular to the north east part of the site and the south. These areas would be encroached upon and as a result there would be a degree of conflict with this purpose of the Green Belt, resulting in some harm.
- 6.11. Purpose 4: Preserve the setting and special character of historic towns. This does not apply as the site is not located near a historical town.
- 6.12. Purpose 5: Assist in urban regeneration, by encouraging the recycling of derelict and other urban land. The applicant's case sets out that there are no alternative sites in the north west capable of accommodating the proposed development. It would clearly be difficult to accommodate a development of the scale and type proposed on a brownfield or non-Green Belt site in an

urban area and it is, therefore, considered that the proposed development would not undermine this policy purpose.

6.13. On the basis of the above it is considered that there would be other harm to the Green Belt caused by the harm to purpose 3 of including land in the Green Belt, as the proposed development would result in a degree of encroachment into the countryside.

6.14. As the proposed development would result in definitional harm to the Green Belt, harm to openness and other harm through encroachment there would have to be very special circumstances to justify the grant of planning permission that would outweigh this harm.

6.15 **Harm 2 – Harm to highway safety**

6.16 The proposed development would generate a significant number of additional vehicular movements to and from the prison site via Ulnes Walton Lane and Southport Road. A package of mitigation measures were set out and agreed with Lancashire County Council at the time of the planning application, however, these are not considered to address the unacceptable impact on highway safety by virtue of the increased traffic movements and inadequate highway infrastructure in the locality.

6.17 **Harm 3 - Harm to residential amenity as a result of traffic movements**

6.18 The proposed development would generate a significant number of additional vehicular movements to and from the prison site. There is a residential dwellinghouse directly opposite the proposed entrance to the new prison in addition to dwellinghouses at sporadic intervals along Ulnes Walton Lane. It is considered that the noise nuisance and disturbance associated with the vehicular traffic movements that would be generated throughout the use of the development would be of such frequency and intensity that they would result in a harmful impact on the amenity of residents in the locality over and above the levels of amenity that they currently enjoy and contrary to policy BNE1 of the Chorley Local Plan 2012 – 2026.

7. **Planning Balance**

7.1 It is the Local Planning Authority's case that none of the issues in favour of the development put forward, whether individually or when combined, override the strong established and re-affirmed national and local planning policy presumption against inappropriate development within the Green Belt.

7.2 Harm caused by the inappropriateness of the development in the Green Belt is significant and substantial. Additional significant harm would also be caused by encroachment. Additional significant harms are also identified in terms of the impact on highway safety and the amenity of residential occupiers and highway safety impacts without adequate mitigation.

7.3 The need for the development in this specific location has not been adequately demonstrated over and above other possible locations. Some other locations that have been identified by the appellant have been discounted partly on the basis that they are also in the Green Belt, which this site is. It is recognised that there are benefits of the development, however, on balance, these are not considered to outweigh the substantial harm to the Green Belt and any other harm as identified above. The proposal is therefore contrary to paragraphs 147 and 148 of the Framework.

8. **SUGGESTED CONDITIONS**

8.1 Suggested conditions in the event of planning permission being granted are as follows:

No.	Condition																		
OUTLINE ELEMENT																			
1.	<p>An application for approval of the reserved matters, namely the appearance, layout, and scale of phases 1 and 4 and the appearance, layout, scale and access of phase 3 of the development hereby permitted, as set out on the Site Phasing Plan, must be made to the Local Planning Authority before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>																		
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Site Location Plan</td> <td>608623-0000-PEV-GHX0011-ZZ-DR-A-9000 Rev.P05</td> <td>13 September 2021</td> </tr> <tr> <td>Site Phasing Plan</td> <td>608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04</td> <td>13 September 2021</td> </tr> <tr> <td>Comprehensive Landscape Masterplan</td> <td>608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06</td> <td>13 September 2021</td> </tr> <tr> <td>Site Demolition Plan</td> <td>608623-0000-PEV-GHX0011-ZZ-DR-A-9002 Rev.P05</td> <td>13 September 2021</td> </tr> <tr> <td>Proposed New Access</td> <td>GARTH-ATK-HGN-MOSS-DR-D-0001 P2</td> <td>13 September 2021</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning.</p>	Title	Reference	Received date	Site Location Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9000 Rev.P05	13 September 2021	Site Phasing Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04	13 September 2021	Comprehensive Landscape Masterplan	608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06	13 September 2021	Site Demolition Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9002 Rev.P05	13 September 2021	Proposed New Access	GARTH-ATK-HGN-MOSS-DR-D-0001 P2	13 September 2021
Title	Reference	Received date																	
Site Location Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9000 Rev.P05	13 September 2021																	
Site Phasing Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04	13 September 2021																	
Comprehensive Landscape Masterplan	608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06	13 September 2021																	
Site Demolition Plan	608623-0000-PEV-GHX0011-ZZ-DR-A-9002 Rev.P05	13 September 2021																	
Proposed New Access	GARTH-ATK-HGN-MOSS-DR-D-0001 P2	13 September 2021																	
3.	<p>No part of the development under phase 4 hereby approved shall commence until a scheme for the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p>Reason: To satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</p>																		
4.	<p>No part of the development under phase4 hereby approved shall be occupied until the approved scheme for the construction of the site access and the off-site works of</p>																		

	<p>highway improvement has been constructed and completed in accordance with the scheme details.</p> <p>Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.</p>						
5.	<p>Prior to the commencement of the development under phase 4 hereby approved, full details of the pedestrian/cycle connection to the site from Nixon Lane shall be submitted to and approved in writing by the Local Planning Authority in consultation with the Highways Authority. Thereafter the approved connection shall be provided in accordance with the approved plan.</p> <p>Reason: To ensure safe and suitable access to the development for pedestrians and cyclists.</p>						
6.	<p>The development hereby permitted shall be carried out in accordance with the principles set out within the Flood Risk Assessment (August 2021, Ref: 608623-0000-HYD-GHX0000-XX-RP-D-0001, Hydrock) and Surface Water Drainage Strategy (August 2021, Ref: 608623-0000-PEV-GHX0011-ZZ-RP-C-0503, Pick Everard). The measures shall be fully implemented prior to the first use or occupation of any building developed under phase 4 as set out on the Site Phasing Plan 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.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>						
7.	<p>Prior to the commencement of the use of development within phases 3 or 4 of the development hereby permitted or with any reserved matters relating to these phases an operational lighting scheme shall be submitted to and approved in writing by the local planning authority. The approved scheme shall thereafter be implemented in line with the approved details.</p> <p>Reason: Due the presence of nearby habitat for bats.</p>						
DETAILED ELEMENT							
8.	<p>Phase 2 of the proposed development hereby permitted in full, as set out on the Site Phasing Plan (ref. 608623-0000-PEV-GHX0011-ZZ-DR-A-9400 Rev.P04), must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>						
9.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Site Sections - Proposed</td> <td>608623-0000-PEV-GHX0031-ZZ-DR-A-9201 Rev.P04</td> <td>13 September 2021</td> </tr> </tbody> </table>	Title	Reference	Received date	Site Sections - Proposed	608623-0000-PEV-GHX0031-ZZ-DR-A-9201 Rev.P04	13 September 2021
Title	Reference	Received date					
Site Sections - Proposed	608623-0000-PEV-GHX0031-ZZ-DR-A-9201 Rev.P04	13 September 2021					

	Site Block Plan - Proposed	608623-0000-PEV-GHX0031-ZZ-DR-A-9100 Rev.P04	13 September 2021
	Roof Plan - Proposed	608623-0000-PEV-GHX0031-R0-DR-A-9301 Rev.P05	13 September 2021
	Site Plan Utilities	608623-0000-PEV-GHX0031-ZZ-DR-E-0600 Rev.P03	13 September 2021
	Proposed Highways-Proposed Surface Water Drainage	608623-0000-PEV-GHX0031-ZZ-DR-C-0502 Rev.P02	13 September 2021
	Proposed Highways-Long Sections	608623-0000-PEV-GHX0031-ZZ-DR-C-0701 Rev.P02	13 September 2021
	Proposed Highways-General Arrangement Plan	608623-0000-PEV-GHX0031-ZZ-DR-C-0700 Rev.P02	13 September 2021
	Proposed Highways-Cross Sections	608623-0000-PEV-GHX0031-ZZ-DR-C-0702 Rev.P02	13 September 2021
	Ground Floor Plan - Proposed	608623-0000-PEV-GHX0031-00-DR-A-9300 Rev.P03	13 September 2021
	Elevations - Proposed	608623-0000-PEV-GHX0031-ZZ-DR-A-9400 Rev.P03	13 September 2021
	Drainage Details - Sheet 01	608623-0000-PEV-GHX0031-ZZ-DR-C-6 Rev.P01	13 September 2021
	Bowling Green Landscape Proposals	608623-0000-PEV-GHX0031-XX-DR-L-0405 Rev.P03	13 September 2021
	Bowling Green External Lighting Layout – Sheet 01	608623-0000-PEV-GHX0031-ZZ-DR-E-0610 Rev.P02	13 September 2021
	Bowling Green External Lighting Layout – Sheet 02	608623-0000-PEV-GHX0031-ZZ-DR-E-0611 Rev.P02	13 September 2021
	Reason: For the avoidance of doubt and in the interests of proper planning.		
10.	<p>Prior to the commencement of the use of phase 2 of the development hereby permitted a schedule of maintenance of the bowling green, including a programme for implementation for a minimum period of [five] years starting from the commencement of use of the development, shall have been submitted to and approved in writing by the Local Planning Authority. Following the commencement of use of the development the approved schedule shall be complied with in full.</p> <p>Reason: To ensure that the playing field is first established as a functional playing field to an adequate standard and is fit for purpose.</p>		
11.	<p>Prior to the commencement of phase 2 of the development hereby permitted the following documents shall have been submitted to and approved in writing by the Local Planning Authority:</p>		

	<p>i. A detailed assessment of ground conditions (including drainage and topography) of the land proposed for the playing field which identifies constraints which could adversely affect playing field quality; and</p> <p>ii. Where the results of the assessment to be carried out pursuant to (i) above identify constraints which could adversely affect playing field quality, a detailed scheme to address any such constraints. The scheme shall include a written specification of the proposed soils structure, proposed drainage, cultivation and other operations associated with grass and sports turf establishment and a programme of implementation.</p> <p>Prior to the commencement of the use of phase 2 of the development hereby permitted the following documents shall have been submitted to and approved in writing by the Local Planning Authority:</p> <p>iii. Full details of the proposed flood lighting scheme for the bowling green.</p> <p>The approved scheme shall thereafter be carried out in full and in accordance with the approved programme of implementation. The land shall thereafter be maintained in accordance with the scheme and made available for playing field use in accordance with the scheme.</p> <p>Reason: To ensure that the playing field is prepared to an adequate standard and is fit for purpose.</p>
12.	<p>All planting, seeding or turfing comprised in the approved details of landscaping set out on the Bowling Green Landscape Proposals (ref. 608623-0000-PEV-GHX0031-XX-DR-L-0405 Rev.P03) shall be carried out in the first planting and seeding seasons following the first use of the Bowling Green or club house facilities, or the completion of phase 2 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, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of the appearance of the locality.</p>
13.	<p>The approved car parking provision as set out on Site-Block Plan (ref. 608623-0000-PEV-GHX0031-ZZ-DR-A-9100 Rev.P04) shall have been constructed and laid out in accordance with the approved details prior to the first use of the Bowling Green or club house facilities and retained at all times thereafter specifically for this purpose.</p> <p>Reason: To ensure that that the site is adequately served by parking and disabled parking and that motorcycle and bicycle parking is sufficiently provided.</p>
14.	<p>The external facing materials of the bowling club buildings and structures, detailed on the approved plans, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
15.	<p>The floodlighting to the bowling green hereby permitted shall only operate between 10:00 hours and 22:00 hours and not at any other time.</p> <p>Reason: In the interests of the rural character of the area, the amenity of the area, ecological impacts and the amenity of nearby residential properties.</p>
16.	<p>Notwithstanding the approved details, a fully detailed lighting scheme to include all necessary highways illumination, pedestrian footways and any other external lighting</p>

	<p>to the building shall be submitted to and approved in writing by the local planning authority prior to the occupation of phase 2 of the development hereby permitted. The approved scheme shall thereafter be implemented in line with the approved details.</p> <p>Reason: Due the presence of nearby habitat for bats.</p>
17.	<p>No surface water run-off from the bowling club (phase 2) element of the scheme shall at any time be directed into any nearby ponds.</p> <p>Reason: The existing pond is a Priority Pond (NERC) and supports protected species and it is likely that the newly created ponds will colonise with great crested newts.</p>
GENERAL	
18.	<p>Notwithstanding the landscaping details set out on the Comprehensive Landscape Masterplan (ref. 608623-0000-PEV-GHX0011-XX-DR-L-0301 Rev.P06), no development shall commence in phase 4 until a detailed scheme of soft landscaping has been submitted to and approved in writing by the Local Planning Authority. This shall include the location of all existing trees and hedgerows affected by the proposed development, details of those to be retained and details of species to be planted and planting density.</p> <p>All planting, seeding or turfing shall thereafter be carried out in the first planting and seeding seasons following the first use of the occupation of any buildings permitted under phase 4 or the completion of phase 4 of the development hereby permitted, 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, unless the Local Planning Authority gives written consent to any variation.</p> <p>Reason: In the interest of the appearance of the locality.</p>
19.	<p>Prior to commencement of each phase of development, a Construction Environment Management Plan (CEMP) for that phase shall have been submitted to and approved in writing by the Local Planning Authority in consultation with the Highway Authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:</p> <ul style="list-style-type: none"> - the parking of vehicles of site operatives and visitors. - hours of operation (including deliveries) during construction. - loading and unloading of plant and materials. - storage of plant and materials used in constructing the development. - siting of cabins. - the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate. - wheel washing facilities. - a dust management plan including measures to control the emission of dust and dirt during construction. - a scheme for recycling/disposing of waste resulting from demolition and construction works. - the routing of construction vehicles and deliveries to site. <p>Reason: In the interest of highway safety and to protect the amenities of the nearby residents.</p>
20.	<p>The Outline Travel Plan as agreed must be implemented in full in accordance with the timetable within it unless otherwise agreed in writing with the Local Planning Authority in consultation with the Highway Authority. All elements shall continue to be implemented at all times thereafter for as long as any part of the development is occupied or used/for a minimum of at least 5 years.</p>

	Reason: To ensure that the development provides sustainable transport options.
21.	<p>No above ground development shall commence in phases 2, 3 or 4 until a detailed, final surface water sustainable drainage strategy for the relevant phase of the site has been submitted to, and approved in writing by, the local planning authority.</p> <p>The detailed sustainable drainage strategy shall be based upon the site-specific flood risk assessment and indicative 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 and no surface water shall be allowed to discharge to the public foul sewer(s), directly or indirectly.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Sustainable drainage calculations for peak flow control and volume control (1 in 1, 1 in 30 and 1 in 100 + 40% climate change), with allowance for urban creep. b) Final sustainable drainage plans appropriately labelled to include, as a minimum: <ul style="list-style-type: none"> i. Plan identifying areas contributing to the drainage network, including surface water flows from outside the curtilage as necessary; ii. Sustainable drainage system layout showing all pipe and structure references, dimensions, design levels; iii. Details of all sustainable drainage components, including landscape drawings showing topography and slope gradient as appropriate; iv. 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 plot to confirm minimum 150mm+ 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, protects 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 industry guidance. <p>The sustainable drainage strategy shall be implemented in accordance with the approved details.</p> <p>Reason: To ensure satisfactory sustainable drainage facilities are provided to serve the site in accordance with the Paragraphs 166 and 168 of the National Planning Policy Framework, Planning Practice Guidance and Defra Technical Standards for Sustainable Drainage Systems.</p>
22.	<p>No above ground development shall commence in phases 2, 3 or 4 until a Construction Surface Water Management Plan for that phase detailing how surface water and pollution prevention will be managed during each construction phase has been submitted to and approved in writing by the local planning authority.</p> <p>Those details shall include for each phase, as a minimum:</p> <ul style="list-style-type: none"> a) Measures taken to ensure surface water flows are retained on-site during construction phase(s) and, if surface water flows are to be discharged they are done so at a restricted rate to be agreed with the Lancashire County Council LLFA.

	<p>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.</p> <p>The development shall be constructed in accordance with the approved details.</p> <p>Reasons:</p> <ol style="list-style-type: none"> 1. 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; 2. To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.
23.	<p>No building on phases 2, 3 or 4 (or within an agreed implementation schedule) of the development hereby permitted shall be occupied until a Verification Report and Operation and Maintenance Plan for the lifetime of that phase of the development, pertaining to the surface water drainage system and prepared by a suitably competent person, has been submitted to and approved by the Local Planning Authority.</p> <p>The Verification Report must demonstrate that the sustainable drainage system has been constructed as per the agreed scheme (or detail any minor variations), and contain information and evidence (including photographs) of details and locations (including national grid reference) of inlets, outlets and control structures; landscape plans; full as built drawings; information pertinent to the installation of those items identified on the critical drainage assets drawing; and, the submission of an final 'operation and maintenance manual' for the sustainable drainage scheme as constructed.</p> <p>Details of appropriate operational, maintenance and access requirements for each sustainable drainage component are to be provided, with reference to published guidance, through an appropriate Operation and Maintenance Plan for the lifetime of the development as constructed. This shall include arrangements for adoption by an appropriate public body or statutory undertaker, and/or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p>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 and subsequently maintained pursuant to the requirements of Paragraph 168 of the National Planning Policy Framework.</p>
24.	<p>Prior to the commencement of the development, an updated method statement setting out Reasonable Avoidance Measures (RAMS) in relation to amphibians throughout the course of the development hereby approved shall be submitted and approved in writing by the Local Planning Authority. The RAMS shall include pre-commencement surveys of the pond and two ditches (P34 and Ditches 1, 2 and 3) prior to their clearance and shall include timing and pumping out strategies. The development shall thereafter be carried out in full accordance with the approved RAMS.</p> <p>Reason: Due to the potential for disturbance of great crested newts and water voles.</p>
25.	<p>No phase of development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP:</p>

	<p>biodiversity) for that phase has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following:</p> <ul style="list-style-type: none"> a) Risk assessment of potentially damaging construction activities. b) Identification of "biodiversity protection zones". c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements). d) The location and timing of sensitive works to avoid harm to biodiversity features. e) The times during construction when specialist ecologists need to be present on site to oversee works. f) Responsible persons and lines of communication. g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person. h) Use of protective fences, exclusion barriers and warning signs. i) Details of how each RAMS integrates with the relevant phases of the implementation. j) A construction lighting strategy. <p>The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.</p> <p>Reason: To protect against harm to bats, great crested newts, barns owls and water voles.</p>
26.	<p>Prior to the commencement of any works within 30m distance of the barn owl breeding (B11) and roosting site (B10) a full mitigation strategy for barn owls, which shall include timings for the implementation of measures, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved mitigation strategy.</p> <p>Reason: Due to the presence of barn owls.</p>
27.	<p>Prior to the commencement of any works within 30m of the identified maternity bat roost (building B15) a full mitigation strategy for bats, which shall include timings for the implementation of measures, shall be submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in full accordance with the approved Mitigation Strategy.</p> <p>Reason: Due to the presence of bats.</p>
28.	<p>A landscape and ecological management plan (LEMP) shall be submitted to and be approved in writing by the Local Planning Authority prior to the commencement of phases 2, 3 or 4 of the development hereby approved. The content of the LEMP shall include the following:</p> <ul style="list-style-type: none"> a) Description and evaluation of features to be managed. b) Ecological trends and constraints on site that might influence management. c) Aims and objectives of management. d) Appropriate management options for achieving aims and objectives. e) Prescriptions for management actions. f) Preparation of a work schedule (including an annual work plan capable of being rolled forward over a five-year period). g) Details of the body or organization responsible for implementation of the plan. h) Schedule of ongoing monitoring and remedial measures.

	<p>i) eDNA monitoring of P39 and the newly created ponds to demonstrate successful enhancement.</p> <p>j) Schedule of biodiversity enhancement measures and timetable for delivery.</p> <p>k) A mechanism of reporting to the LPA/their identified agent and remediation agreement process.</p> <p>The LEMP shall also include details of the legal and funding mechanism{s} by which the long-term implementation of the plan will be secured by the developer with the management body(ies) responsible for its delivery. The plan shall also set out (where the results from monitoring show that conservation aims and objectives of the LEMP are not being met) how contingencies and/or remedial action will be identified, agreed and implemented so that the development still delivers the fully functioning biodiversity objectives of the originally approved scheme. The approved plan will be implemented in accordance with the approved details.</p> <p>Reason: To mitigate against the reduction in scale of the biological heritage site as a result of the development proposals and to deliver a net gain for biodiversity.</p>
29.	<p>Prior to the commencement of phases 2, 3 or 4 development a phasing plan for the delivery of the Biodiversity Net Gain off-set habitats shall be submitted and approved in writing by the local planning authority. The landscaping shall thereafter be implemented in line with the approved phasing plan.</p> <p>Reason: To deliver biodiversity net gain benefits at the earliest opportunity and as the development progresses.</p>
30.	<p>No works to trees or hedgerows shall occur or building works commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.</p> <p>Reason: Nesting birds are a protected species.</p>
31.	<p>The development hereby approved shall be carried out in accordance with the details contained in the approved Tree Protection Plan (Ref. 13498/P03) and Arboricultural Method Statement (Ref. 13498/P04) received 24 August 2021. All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p> <p>Reason: To safeguard the trees to be retained.</p>
32.	<p>No development, site clearance/preparation, or demolitions shall take place in any phase on the site until the applicant, or their agent or successors in title, has secured the implementation of a programme of building recording and analysis relevant to that phase of development. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. The programme of works shall comprise the creation of a record of the building(s) to Level 2-3 as set out in 'Understanding Historic Buildings' (Historic England 2016). It shall include a full description of the building(s), inside and out, a drawn plan, elevations and at least one section (which may be derived from checked and corrected architect's drawings), and a full photographic coverage, inside and out. The record shall also include further documentary research, putting the building(s) and its features into context. This work shall be undertaken by an appropriately qualified and experienced professional contractor to the standards and guidance of the Chartered Institute for Archaeologists (www.archaeologists.net). A digital copy of the report and the photographs shall be placed in the Lancashire Historic Environment Record.</p>

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

9. INSPECTION OF DOCUMENTS

- 9.1 Appeal documents may be inspected by contacting the case officer Iain Crossland by post or by e-mail as follows:

Iain Crossland
Principal Planning Officer
Chorley Borough Council
Civic Offices,
Union St,
Chorley
PR7 1AL

E-mail: iain.crossland@chorley.gov.uk