

Summary Proof of Evidence

Planning Evidence of Sebastian Tibenham

Former DXC Technology Site, Euxton Lane, Chorley
On behalf of Bellway Homes Limited (Manchester Division)

Date: January 2023 | Pegasus Ref: P21-0962 / R016v1 / PL / ST

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1. Introduction

1.1. My name is Sebastian Tibenham. I hold a Masters in Town & Country Planning from the University of Manchester. I am a Chartered Town Planner with 19 years experience and Executive Director at Pegasus Group Group's Manchester Office.

1.2. My evidence has been prepared on behalf of Bellway Homes Limited (Manchester Division), (the Appellant). It relates to a Planning Appeal made pursuant to Section 78 of the Town and Country Planning Act 1990, in respect of the former DXC Technology Site, Euxton Lane, Buckshaw Village, Chorley (the Appeal Site) further to a refusal decision notice issued by Chorley Borough Council (the Local Planning Authority) in relation to a full application (LPA ref. 21/O1475/FULMAJ) on 22nd September 2022 for:

“Erection of 108 no. dwellings (Use Class C3) with associated access, landscaping, parking and other works following demolition of existing building.”

1.3. The application was refused on two grounds:

- ***The proposed development would result in an unacceptable reduction in the type and quantity of employment land supply contrary to policy 10 of the Central Lancashire Core Strategy.***
- ***The application site is proposed in isolation from residential development patterns and associated amenities resulting in an unsustainable form of development. It would fail to provide connectivity with supporting amenities, which means that the development does not integrate or function well with the surrounding area. The proposal does not, therefore, secure a high-quality inclusive design. The proposal is, therefore, contrary to policy 17 of the Central Lancashire Core Strategy 2012 and the National Planning Policy Framework.***

2. Appeal Site and Surrounding Area

- 2.1. The previously developed, brownfield site is located towards the edge but entirely within the settlement boundary of Euxton and within the Buckshaw Village Strategic Site boundary as defined on the Chorley Local Plan Proposals Map – Buckshaw Village Inset (**CD 2.2.2**).
- 2.2. It measures 3.02 ha and the northeast corner of the site is occupied by a two storey office building. The remaining and majority of the site comprises of internal access roads, surface level car parks and some grassed / landscaped areas as illustrated on the APD plan contained at Appendix 2.E of my main Proof (**CD 15.1.1**).
- 2.3. Generally speaking, the site is a poor condition and underutilised a) because of the vacant office building and b) because of the limited amount of built footprint on the previously developed site. Parts of the car parking areas have begun to become overgrown and the office building is showing its age. Photographs of the building and site are provided at Appendix 3 of my main proof (**CD 15.1.1**).
- 2.4. The building was previously occupied by DXC Technology who fully vacated the premises in January 2022, having served notice on the landlord in 2021.
- 2.5. The office building has an energy performance rating of G. This is the lowest rating available and goes some way in demonstrating the difficulties associated with being able to re-let the premises to a new tenant.
- 2.6. Key constraints on the site which I consider are relevant when considering the site's redevelopment options include:
 - Two culverts that run through the site in an east west direction which are existing private sewers.
 - Two mature oak trees are located in the western half of the site, which are protected by tree protection orders.
- 2.7. It is agreed that the surrounding area is mixed in terms of use and appearance (see **paragraph 3.1, bullet point 7** of the General Statement of Common Ground – **CD 14.1**). The railway line and station are to the north, Preston North End's Football Clubs training ground facilities to the east, commercial properties and Runshaw College to the west, and open countryside and a residential property and nursery located to the south beyond Euxton Lane, with additional residential and employment areas located further to the east, west and north of the site.
- 2.8. A Grade II listed building is located on the opposite site and the exiting signalised junction onto Euxton Lane. It is well screened but still visible from the appeal site albeit in the context of the wider surrounding area. Further details and agreements in relation to significance of the heritage asset (along with other non-designated heritage assets) is contained within the more detailed Heritage Assessment and the signed and agreed Heritage SOCG on this matter (**CD 14.3**).



3. The Appeal Proposal

- 3.1. The proposal seeks full planning consent for the erection of 108 no. dwellings (Use Class C3) with associated access, landscaping, parking and other works following demolition of the existing building on site.
- 3.2. The amount of affordable housing secured through the s106 agreement is in line with the adopted policy 7 of the Core Strategy (which calls for 30% provision); minus an allowance for vacant building credit (which results in a requirement of **11%**), plus a slight uplift applied by the Appellant (resulting in a final provision of **12%**). This results in the delivery of **13** no. of affordable homes on site.
- 3.3. The proposals include a Local Equipped Area of Play (LEAP) in the south-west corner of the site, which would be of benefit to both the existing local community and future residents and nearby businesses on the basis that there is an identified shortfall of public open space in this general location (see **CD 12.32**).
- 3.4. The two trees subject to Tree Preservation Orders will be retained by the proposals. A total of 72 new trees will be planted on the site.
- 3.5. Nine bird boxes and three bat boxes will also be provided on site.
- 3.6. Every home will be provided with electric vehicle charging points will be provided on site.
- 3.7. The proposal will also deliver improvements to the two neighbouring bus stops located on Euxton Lane and adjacent to the site and Preston North End's Training Ground, which currently serve a school bus service to access the local secondary schools.

4. Delivering Homes

- 4.1. Paragraph 60 of the NPPF reaffirms the Government's longstanding objective of **significantly boosting** the supply of homes and that it is important that a sufficient amount and variety of land can come forward where it is needed. Those words, 'significantly boosting', have been a key component of the NPPF since it was first introduced in 2012.
- 4.2. The adopted housing requirement of 417 dwellings per annum stems directly from the now revoked Regional Spatial Strategy. It is agreed that it is out of date. The need for housing in Chorley according to the standard method is at least **542hpa** (without any buffer applied), which is some 30% greater than the requirement in the adopted plan.
- 4.3. The overall policies within the adopted development plan for the area were therefore designed to respond to a need for a much lower housing requirement. As such, it will inevitably be the case that in order to address the current need for housing, developments which do not strictly accord with the policies of the development plan for the area will need to be approved.
- 4.4. Chorley Council's 2022 Five Year Housing Land Supply Statement (**CD 7.3**) states that the total five year supply available is **1,888** dwellings. As agreed, this amounts to **3.3 years and a shortfall of 958 dwellings**. This shortfall is deemed to be significant by myself and the Council (see paragraph **8.5 of CD 14.1**) and it is agreed that **significant weight** should be afforded to the delivery of the proposed 108 dwellings.

Affordable Housing Provision

- 4.5. The appeal proposal will deliver a total of **13 affordable homes**. Of this, **9 units will be social rented (69%) and 4 units will be intermediate affordable homes (31%)**.
- 4.6. The affordable housing need for Chorley is summarised at paragraphs 2.67 and 2.68 of the SPRU / DLP Planning report which confirms the annual affordable housing need for the Borough is **113 dwellings** (net).
- 4.7. The Arc4 2022 Housing Need Assessment (**CD7.2**) confirms that of the **113** net affordable dwellings needed each year within the Borough, a significant proportion of these are located within Buckshaw Village with **71 net affordable dwellings per annum required¹**, equating to **63%** if the boroughwide affordable housing need. The need for affordable homes in Buckshaw Village over the next five years is therefore particularly acute with **355 affordable dwellings required**. This represents a significant material consideration.
- 4.8. Table C9 on page 124 of the Chorley Arc4 Assessment (**CD7.2**) confirms there are 850 households on the housing register in Chorley. I consider this in itself demonstrates a pressing need for more affordable homes to be developed in the area.
- 4.9. In light of all of the above circumstances, my professional opinion is that **substantial weight** can be afforded to the delivery of the 13 affordable homes provided as part of this appeal proposal. This is secured through the Section 106 legal agreement.

¹ See Table C8 in **CD7.2** on page 123

5. Compliance with the Development Plan

5.1. The relevant development plan in this instance consists of the following:

- **Central Lancashire Core Strategy (2010 – 2026) – adopted in 2012 (CD 2.1), and**
- **Chorley Local Plan 2012–2026 (Site Allocations and Development Management Policies DPD) – adopted in 2015 (CD 2.2).**

5.2. The appeal scheme is compliant with significant components of the adopted development plan for the area and those policies where compliance is achieved and agreed is set out in Section 6 of the General SOCG (**CD 14.1**).

5.3. With regard to the site's designation and status within the adopted Development Plan for the area, the site is located within a settlement boundary where development is encouraged by **Policy V2** of the Chorley Local Plan. The justification for this policy confirms the following at paragraph 2.12:

'The full utilisation of land and buildings within settlement areas will help to ensure a better use of services and utilities, and can help reduce development pressures in the Green Belt. In addition the concentration of facilities in towns and villages can help to improve accessibility. In order to protect the character of the local area, it is important that new development respects local distinctiveness and does not adversely affect existing open spaces.'

5.4. In response to this justification for Policy V2, the appeal site is a brownfield, previously developed site and is located in a highly accessible location. Its redevelopment for housing will help reduce development pressures in the Green Belt by utilising the site more effectively and efficiently and help address a development need that arises now.

5.5. The site is also located within the Buckshaw Village Strategic Site area, which is one of a few strategic locations defined by the Core Strategy (Appendix B – Plan on page 143) where housing development and employment development is expected to be targeted by **Core Strategy Policy 1**. In particular, the wider Buckshaw Village site area is identified as a **mixed use designation** under Policy 1 (ciii), where growth and investment will be concentrated to meet local housing and employment needs. Buckshaw Village is a 300 ha site and has been successfully developed as a new settlement on what once was a former munitions factory site operated by BAE.

5.6. A small part of the appeal site is defined on the Chorley Local Plan Proposals Map as 'Existing Sport and Recreational Facility (Green Belt)'. However, it is agreed between the parties within the General SOCG (at **paragraph 2.2, bullet point 4 of CD 14.1**) that this is a cartographic error and the site has not been used for such purposes.

5.7. The Chorley Local Plan proposals map does not allocate or designate the majority of site for any particular use or development in that it is not located within a designated town centre, nor is it allocated for employment development or housing development (unlike other parcels of land within the Buckshaw Village area).

5.8. Critically, none of the designations set out in footnote 8 of the NPPF apply to the site. It is not within a flood risk area, not part of a SSSI or other protected habitat or protected

landscape area. In short, the appeal site is an undesignated parcel of white land located within a defined settlement boundary and a specific location where growth is targeted for housing and employment development.

- 5.9. The Council's two stated reasons for refusal only identify conflict with two development plan policies: Policy 10: Employment Premises and Sites, and Policy 17: Design of New Buildings within the Core Strategy. It is agreed that both policies are out of date because of the lack of a 5 year supply of housing in Chorley and it is agreed that the authority can only demonstrate a **3.3 year supply** of housing. Other reasons also exist, which I summarise shortly.

Compliance with Policy 10

- 5.10. My overall conclusions on compliance with the various criteria of Policy 10 are summarised below:
- **Criterion a)** is satisfied as there would not be an unacceptable reduction on the type, quality or quantity of employment land supply as a result of the appeal proposals. My evidence demonstrates there is a realistic employment land supply of 69.92 ha, which equates to between 20–24 years supply based on historic past land take up (depending on what annual requirement is applied). Even based on the Council's evidence, there is over 15 years supply of employment land based on past take up rates.
 - **Criterion b (the provision and need for the proposed use)** is satisfied and this is Common Ground (see paragraph 3.8 of Employment SOCG – **CD 14.2**).
 - **Criterion c (the relative suitability of the site for employment and the alternative use)** is satisfied as I conclude the appeal site does not represent a comparatively better employment site when compared to the opportunity to deliver a brownfield residential development. In the context of the site's setting and location I see the relative suitability of the site for certain forms of employment and residential to be equal.
 - **Criterion d (the location of the site and its relationship to other uses)** is complied with, as the proposed residential development will be well integrated and connected to existing local communities and amenities.
 - **Criterion e (whether the ability to accommodate smaller scale requirements would be compromised)** is satisfied and is not contested (see paragraph 3.8 of Employment SOCG – **CD 14.2**).
 - **Criterion f (there would be a net improvement in amenity)** is satisfied and this is Common Ground (see paragraph 3.8 of Employment SOCG – **CD 14.2**).
 - **Criterion g (12-month marketing exercise)** is not complied with, however limited weight should be afforded to this conflict on the following basis:
 - Policy 10 is out of date.

- The 3rd lockdown period of COVID restrictions would have made any genuine marketing exercise very difficult.
 - The Landowner did undertake a marketing exercise in 2014 and is an experienced developer who seeks to retain their employment land portfolio where possible. It is not a viable proposition for them to do so on the appeal site.
 - The site is not formally allocated for employment uses therefore not specifically relied upon to meet the Council's employment land needs. It does not warrant specific employment protection.
 - Market demand is low in the area, evidenced by the number of vacant officer units in the immediate vicinity of the site.
 - The buildings energy rating is extremely poor (EPC Rating G). It is so poor, the building cannot be marketed or tenanted to new occupiers without getting an exemption.
- **Criterion h (viability)** is satisfied, as employment development is not viable on this site (as dealt with in Mr Aherne's proof of evidence – **CD 15.2**).

5.11. As well as the lack of a 5 year supply of housing, I consider Policy 10 is also out of date because:

- It is not consistent with the latest NPPF, particularly paragraphs 120 and 123. It was originally drafted in the context of Planning Policy Statements and was finally adopted in the context of the 2012 NPPF;
- It was adopted in July 2012 and therefore drafted, examined and adopted in the context of the North West Regional Spatial Strategy (that has now been revoked and no longer forms part of the Development Plan for the area);
- It is more than 5 years old and should have undergone a number of reviews by now. In particular, the evidence base that supported the Core Strategy in relation to employment land matters is significantly out of date and was undertaken in 2008/09 (see **CD 6.1**). Subsequent reviews have not provided an up to date position in relation to the grading of the appeal site (or the XTON business park within which it is located).
- There is evidence that the Council are applying limited weight to Policy 10 in other decisions and there is a lack of consistency in terms of the weight being applied to certain criterion within it. In particular, I demonstrate that the Council have positively determined housing applications on allocated employment sites within the Borough without the need to undertake a marketing assessment or indeed a viability assessment and in the acceptance that there is sufficient allocated and available employment land elsewhere in the Borough to meet identified employment needs up to the end of the adopted plan period.

5.12. On that basis, I afford greater weight to policies within the NPPF. Paragraphs 120 and 123 are key considerations in this regard. Paragraph 120 applies substantial weight to the benefits of redeveloping previously developed sites. Paragraph 123 confirms that

local planning authorities should take a positive approach to applications for alternative uses of land which is currently developed but not allocated for a specific purpose in plans where this would help meet identified development needs. This proposal self-evidently meets those criteria. In this context, paragraph 123 specifically requires that LPAs should **support** proposals to use employment land for homes in areas of high housing demand providing that (in so far as is relevant to the current proposal) this would not undermine a key economic sector or a key economic site.

5.13. I do not consider the redevelopment of the site would undermine an existing key economic site or sector for a host of reasons, as set out in my main proof of evidence at Section 8.

5.14. Whilst I accept that the Core Strategy did note that all existing employment land has the potential to be classed as best urban employment land, I do not regard the development of the appeal site for residential development to undermine a key employment site or sector for the following reasons:

- The 2009 employment land assessment only ever considered the appeal site as part of a review of the wider Runshaw College and XTON business park area. This area was ranked as good urban (not best), and this was at a time when the office was in a reasonable condition and met the requirements of the previous occupier. Various constraints were raised at the time but this did not identify all constraints that are now known (such as the culverts and the energy performance of the building) The appeal site has never been assessed alone and even this assessment is now more than 13 years old.
- The Council chose not to allocate or designate the site or area for employment development within the Chorley Local Plan.
- The appeal site does not accommodate one of the key employment sectors identified within the Core Strategy and was last used as a call centre;
- Even towards the end of the previous tenant's occupation, only a skeleton number of employees were retained on the site (partly due to Covid and the increased practice in working from home but also due to the state of the building and the fact that it did not provide a pleasant working environment).
- Other more modern employment development has come forward in Buckshaw Village at Revolution, Matrix Park, Southern Commercial and the Chorley Technology Park. The BE Group 2017 Assessment identifies all of these more modern locations as Grade A sites but not the appeal site of XTON Business Park.
- At 3 ha, it only represents 1% of the overall site area relevant to Buckshaw Village and is therefore a modest component of this strategic mixed use employment site, which accommodates one of the few remaining buildings from the former BAE operation.
- The strategic strategy for employment growth across Central Lancashire is wide spread including Preston City Centre and Chorley and Leyalnd Town Centres. There is also undeveloped employment land at Cuerden, Samesbury and Great Knowley/Botany Bay (as identified by the Core Strategy) to meet larger scale and strategic sub-regional employment demands for key employment sectors identified by the Core Strategy;

- Based on employment land take up figures across Central Lancashire since the beginning of the Core Strategy Plan period (which I calculate to be **8.6 ha per annum**), BE Group's figure of 191 ha of realistic local employment land supply equates to **22 years of supply**. However, if the land at the South Ribble Strategic Sites at Cuerden and Samlesbury are added (which will clearly contribute to meeting local employment needs within Central Lancashire notwithstanding their strategic nature) then there is **over 33 years of supply**. Even if the higher employment land take up rate of 9.51 ha is utilised (derived from take up rates over the last 30 years), this still equates to **30 years** of employment land supply within Central Lancashire.
- Neither the appeal site or the XTON business Park are identified within BE Group's 'realistic supply of employment land' and therefore its loss has no impact on the Council's current envisaged employment land supply;
- It is agreed that refurbishment and redevelopment of the site for office development is not viable at paragraph **8.14** of the General SOCG (**CD 14.1**).
- It is agreed that the re-development of the site for residential purposes would not result in adverse impacts in relation to residential amenity or vice versa at paragraph **8.7** of the General SOCG (**CD 14.1**). As such, I can conclude that the neighbouring businesses to the immediate west of the appeal site would not be adversely impacted nor would those located north of the railway line.
- BE Group provide scoring at Appendix 7 of the 2022 Employment Land Assessment (**CD 6.5.7**). Based on the matrix, I score the appeal site as **46 out of 100**. If ranked against the remaining existing allocations within the Local Plan that have been assessed by BE Group in the 2022 Assessment, it would be the second worst scoring site.

5.15. In regard to the Council's claimed shortfall in employment land, I disagree with the approach applied by BE Group and the Council for the following reasons:

- BE Group assess the employment land needs up to 2038 and well beyond the adopted plan period, which is principally a matter for the emerging Local Plan, which is only at an initial Regulation 18 consultation stage and the Council accept that no weight should be afforded to this in the General SOCG (**CD14.1**). There are obvious concerns associated with this because there are a number of variables applied within BE Group's assessment that will inevitably alter before the Local Plan is submitted and could be subjected to further change before the emerging Local Plan is ultimately adopted; and
- As of today, the realistic employment land supply in Chorley has changed since BE Group undertook their assessment with clear evidence that the availability of land at Botany Bay, Great Knowley and Woodland Centre is now much greater than what was assessed (and therefore any previously suggested shortfall is significantly reduced)

5.16. By adjusting the Council's employment land supply position with the above information, I calculate the 'realistic' employment land supply in Chorley as being **69.91 ha and therefore some 13.65 ha** greater than what BE Group claim. If we compare the 'realistic' employment land supply figures in Chorley to past take up over the last 30 years (with and without the



anomaly years included) and the land take up rate achieved during the adopted plan period (2010–22), the following supply in years is calculated at table 2 below.

Table 2 – Realistic Employment Land Supply in Chorley based on Past Take Up Rates

BE Group Realistic Supply Feb 2022 (ha)	56.28
Years Supply (Plan Period Take Up at 2.8 ha per annum)	19.8
Years Supply (Last 30 years at 2.62 ha per annum with anomaly years removed)	21.5
Years Supply (last 30 years at 3.47 ha per annum)	16.2
Pegasus Group Realistic Supply (ha)	69.91
Years Supply (Plan Period Take Up at 2.8 ha per annum)	24.6
Years Supply (Last 30 years at 2.62 ha per annum with anomaly years removed)	26.7
Years Supply (Last 30 years at 3.47 ha per annum)	20.2

- 5.17. Even based on BE Group’s employment land supply figures, the above analysis indicates that Chorley has sufficient employment land for at least another full 15 year plan period and in most scenarios, well beyond this. Given we are now a considerable way through the adopted plan period with only 3 years left to go, I maintain the view that Chorley has a significant amount of available land for employment development opportunities and the loss of 3 ha of existing employment land (which is not included within Chorley Council’s site allocations or BE Group’s assessment of employment land supply) will not result in an unacceptable loss in terms of the quantity or quality of land required to meet the local plan objectives and would therefore not undermine the amount of employment land available for various key employment sectors identified by the development plan or undermine a key employment site.

Compliance with Policy 17

- 5.18. With regard to matters associated with the character of the area and whether the site is a suitable location for housing and the Council’s second reason for refusal, my evidence alongside that of Mr Wooliscroft’s highlights that the appeal site is located in a sustainable location within recommended walking distances to a range of new facilities located within Buckshaw Village and the surrounding area. This includes local bus stops, a train station, medical centre and various primary schools plus a District Centre with a range of facilities and services. Whilst the new residents will have to pass over the railway bridge located on Central Avenue to the west, this road and Euxton Lane which is wide and accommodates shared cycle and footpaths which directly pass the main frontage of the appeal site and run all the way to the above facilities. Visual links with the District Centre and the train station are also evidently available and help to reduce any perceived distances.
- 5.19. My evidence also demonstrates that the development of the site for housing will make a positive contribution to the physical and visual amenity of the area. Whilst the introduction of housing in the area will represent a change, it is agreed that the mix of uses around the appeal site is varied including employment, recreational space, open countryside and some residential homes.
- 5.20. I note that paragraph 130c of the NPPF does not discourage such change but does also call for development to be sympathetic to the local character and history including the surrounding built environment and landscape setting. In this context, Buckshaw Village is a

location that has undergone significant development and change already from an old employment site being transformed into a sustainable mixed-use settlement. Ongoing change in this regard is therefore not inconsistent with the area's history. The appeal proposal will also still represent a logical transition of uses when travelling into and out of the settlement along Euxton Lane and it is agreed that it will have no undue harm on registered heritage assets in the locality.

5.21. I also highlight that whilst the new homes will be located next to retained employment uses, it is agreed that amenities of residents and the ability for those businesses to continue to operate will not be hindered. Moreover, this close relationship of housing next to employment uses is entirely consistent with the overall character of Buckshaw Village. Indeed, if anything, this close relationship of employment next to housing replicates the settlement's unique character.

5.22. My overall conclusions on compliance with the various criteria of Policy 17 are summarised below:

- **Criterion a)** is satisfied and it is common ground that the proposals are acceptable in respect of siting, layout, massing, scale, design, materials, building to plot ratio and landscaping (paragraph 4.1 of **CD 14.4**).
- **Criterion b (safeguarding and enhancing the built and historic environment)** is satisfied, which is common ground (see Heritage SOCG **CD 14.3**).
- **Criterion c (being sympathetic to surrounding land uses and occupiers and avoiding demonstrable harm to the amenities of the local area)** is satisfied, as the appeal proposals would be entirely in keeping with the existing mixed-use character of the area and will mirror the patterns of co-existing residential and employment land uses elsewhere in Buckshaw Village.
- **Criterion d (ensuring the amenity of occupiers of the new development will not be adversely affected by neighbouring uses and vice versa)** is satisfied and this is Common Ground (see Housing SOCG – **CD 14.4**).
- **Criterion e (linking in with surrounding movement patterns and not prejudicing the development of neighbouring land, including the creation of landlocked sites)** is satisfied and primarily dealt with in Mr Wooliccroft's proof of evidence (**CD 15.3**). The appeal site cannot be regarded as being isolated from existing amenities and communities. The walking distances fall well within acceptable thresholds as outlined in guidance and it is accepted that the physical walking and cycling infrastructure between the site and many of these facilities is good.
- **Criterion f (minimising opportunity for crime and maximising natural surveillance)** is satisfied and this is Common Ground (see Housing SOCG – **CD 14.4**).
- **Criterion g (providing landscaping as an integral part of the development, protecting existing landscape features and natural assets, habitat creation, providing open space, and enhancing the public realm)** is satisfied and this is Common Ground (see Housing SOCG – **CD 14.4**). There will be a net

improvement in amenity as a result of the appeal proposals and biodiversity and landscape considerations have been satisfactorily addressed.

- **Criterion h (public art)** is satisfied, and no public art is required for the site (see Housing SOCG – **CD 14.4**).
- **Criterion i (demonstrating, through the Design and Access Statement, the appropriateness of the proposal)** is satisfied, as the appeal proposals are entirely appropriate in respect of design and the principle of development.
- **Criterion j (making provision for the needs of special groups in the community such as the elderly and those with disabilities)** is satisfied, which is Common Ground (see Housing SOCG – **CD 14.4**).
- **Criterion k (promoting designs that will be adaptable to climate change, and adopting principles of sustainable construction including Sustainable Drainage Systems (SuDS))** is satisfied, and is Common Ground (see Housing SOCG – **CD 14.4**).
- **Criterion l (achieving Building for Life rating of 'Silver' or 'Gold' for new residential developments)** is out of date and not applicable to the appeal proposals. This is Common Ground (see Housing SOCG – **CD 14.4**).
- **Criterion m (contaminated land)** is satisfied as the Environmental Health Officer confirmed no objection to the scheme. This is Common Ground (see Housing SOCG – **CD 14.4**).

5.23. As such, whilst it is accepted that Policy 17 is out of date due to the lack of a 5 year supply of housing, on the basis that all other criteria are agreed to be satisfied, I conclude that the appeal proposal does satisfy Policy 17 in any event.

6. Planning Balance

6.1. In this case, the planning balance applied by paragraph 11 of the NPPF and Policy MP in the Core Strategy must be applied. I address the benefits and impacts generated from the proposal below.

Benefits

Sustainable Development Thread	Matter	Weight applied	Why?
Social / Economic / Environmental	Compliance with Policy 1 and V2	Significant	The appeal site is located within a defined settlement boundary and within the Buckshaw Village Strategic designation, which is designated as one of the key locations within the sub region to accommodate significant development over the plan period for housing and employment development. The delivery of housing in this location is therefore compliant with the adopted spatial strategy for the area and objectives of this wider strategic site.
Environmental	Redevelopment of a brownfield site	Substantial	In line with paragraph 120c of the NPPF, substantial weight should be afforded to the re-use of suitable brownfield sites within settlements for homes and other identified needs. Appropriate due weight should also be afforded to all of the associated benefits arising from this that substantiates the overall substantial benefit: <ul style="list-style-type: none"> - Making efficient use of existing development land helping to reduce pressure on previously undeveloped land which is a finite resource; - Remediating what will inevitably become a derelict site overtime if action is not taken now; - Improve the amenity of the local area on what is a relatively prominent site on the entrance to the settlement;
Social	Improved Natural Surveillance	Moderate	The appeal proposal will provide enhanced natural surveillance a circa 200 metre stretch of the well-used combined footway and cycle route located on Euxton Lane that is used for recreational purposes.

Environmental	Improved development frontage	Moderate	The development will provide an improved development frontage to Euxton Lane. The fact that the site is located on the fringe of the settlement at a gateway location will provide a more suitable and common transition of land uses in such locations from commercial, to residential to open space/countryside.
Environmental / Social	Delivery of Public Open Space	Moderate	Whilst the proposed open space will principally serve the residents of the appeal scheme, it is provided in a location where there is a current deficiency, and it will be made available to the wider public including workers on the remaining business park and those utilising the shared cycle / pedestrian route along Euxton Lane which appears to be partly used for recreational purposes. On that basis, I afford this benefit moderate weight.
Environment	Enhancement of visual amenity of the area near a Grade II Listed Building	Great / Moderate	The fact that the landscaped open space will also be provided on an area of redundant/derelict land that is located in close to a Grade II listed building and it will improve the amenity of the area contributes to the weight I afford to this benefit.
Social	Delivery of Affordable Homes	Substantial	Given the high annual need for 113 affordable homes per annum within the Borough, the delivery of 13 affordable homes will be of substantial benefit. In arriving at this conclusion, I pay significant regard to the fact more than 50% of the boroughwide need is recorded within Buckshaw Village (where 71 affordable homes per annum are required) and there are few remaining housing allocations or other suitable land parcels available for development within the settlement. I also afford some additional weight on the basis that the Appellant is providing an additional affordable home over and above what is the agreed policy requirement for the site with vacant building credits applied. This approach is in accordance with the Council's Re-use of Employment Land SPD, when considering the need for the alternative use.
Social	Delivery of Homes	Significant	In light of the lack of a five year supply of housing and the supply being just 3.3 years, it is agreed that significant weight is afforded to the delivery of the overall 108 dwellings, which will make a positive contribution towards the Council being able to demonstrate a 5 year supply in the future. Further

			<p>significance can be applied noting that the current consequences of this are that Safeguarded greenfield sites identified within the Development Plan are being released prior to a formal review of the Development Plan, which is at a very early stage and therefore this shortfall is likely to persist. In contrast, this site is a brownfield site, within a settlement boundary, designated for mixed use development.</p>
Social	Improved bus stops	Moderate	<p>The physical works that will be carried out to raise the access and egress platforms to the bus stops constitute works that will assist those with disabilities seeking to access the Secondary Schools within the Local Area and if public services are introduced to this route in the future, wider public benefits from these works will occur.</p>
Economic	Creation of jobs during the construction phase on site and through the supply chain	Moderate	<p>It is estimated that the appeal proposal for 108 no. dwellings will create 132 direct construction roles and indirect/induced jobs supported per annum during the build phase. It is also estimated that this will generate £22.3million GVA Economic output contribution from jobs supported by activities at the site over the 3-year build (current prices). Please refer to the original Economic Benefits Statement (CD 10.13) for information on how this is calculated using an industry standard methodology.</p> <p>Whilst these will be temporary jobs associated with the construction phase, I apply moderate weight to them on the basis that we are currently experiencing a downturn in the economy and a pipeline of deliverable homes will assist Bellway and its development partners to maintain a respectable level of employment during what may transpire to be a more difficult period for the housing industry.</p>
Economic / Social / Environmental	Community Infrastructure Levy Contribution	Significant / Moderate	<p>Based on calculations taking into account the increase in floorspace generated by the appeal proposal, £311,399.23 of CIL payments will be made to the Council and go towards local infrastructure projects set out in the Council's Regulation 123 list (CD 9.9), which sets out a range of local infrastructure projects that would benefit the local community such as enhanced cycle and public transport infrastructure and education facilities.</p>

Environmental	Improved biodiversity	Moderate	It is acknowledged that the existing site has a low ecological value and does not provide any valued habitats. It is agreed that an enhancement in biodiversity will be achieved with GMEU (see CD 12.25). Improvements will be achieved through the planting of new trees and the provision of green space and incidental planting. Other ecological enhancements will be provided through bird and bat boxes and the creation of front and rear gardens where a good proportion are likely to include suitable habitats for various forms of flora and fauna.
Environmental	Improved Surface Water Run Off	Moderate	The existing site currently accommodates a lot of tarmac and hardstanding areas. The development proposal will achieve greenfield run off rates even though this is not a policy requirement within the area at this stage. Whilst the site is not within a flood risk area, reducing urban surface water run off rates from the site, will still generate an environmental benefit.
Economic	Increased Local Expenditure	Moderate	<p>The appeal proposal would provide 108 new homes and associated household in relatively close proximity to Buckshaw Village District Centre and provide additional local household expenditure which would benefit the existing retailers and other service located within it, thereby assisting with its vitality and viability.</p> <p>It is estimated that the appeal proposal for 108 no. dwellings will generate:</p> <ul style="list-style-type: none"> - £3million - Total annual household expenditure. - £222,570 Estimated annual increase in Council Tax Revenue <p>Please refer to the original Economic Benefits Statement (CD 10.13) for information on how this is calculated using an industry standard methodology.</p>

Impacts

Loss of an existing employment building

- 6.2. The office building is vacant and does not currently accommodate a business so there will be no loss of existing jobs. The building was historically converted from an old warehouse to offices in the 1980's.

- 6.3. It has an energy rating of G (the lowest ranking available) and is therefore not a sustainable building. It's scale and floorplate is significantly larger than what is required by the office market and does not lend itself to an easy conversion.
- 6.4. It is agreed that refurbishment and re-use for offices would not be viable.
- 6.5. In short, it has reached the end of its useful life. The existing building therefore provides no existing or future prospect for accommodating jobs and contributing to the local economy.
- 6.6. I therefore attach no weight to this impact.

Loss of an existing non-allocated employment site

- 6.7. The site is not allocated for employment purposes and is instead undesignated white land located within the settlement boundary and the Buckshaw Village designation on what was a large former employment site operated by BAE. The appeal site represents a relic of the wider former BAE use and represents only 3 ha of the wider Buckshaw Village site (which is substantial at 300 ha overall).
- 6.8. Paragraph 123 of the NPPF does call for consideration as to whether the redevelopment of non-allocated employment sites would undermine a key economic sector or site. I have assessed the site in the context of it being located within the Buckshaw Village Strategic Site and conclude that its loss will not undermine this strategic site. Parts of this very large site designation have been recognised to be of strategic importance for the delivery of employment development and are allocated and specifically designated in the respective Local Plans. However, these areas have now largely been developed in full and do not relate to the appeal site and continue to provide more modern employment floorspace. The employment allocations that remain available for development within Buckshaw Village are more appropriate for office and logistics use.
- 6.9. In considering redevelopment employment options, whilst close to a train station, it is still located in an out of centre location as defined by national and local planning policy and is therefore not a sequentially preferable / policy compliant location for office redevelopment.
- 6.10. I accept that the site would be a suitable location for light industrial use and some small storage units. However, the quality of the appeal site has never been assessed by the Council as part of the adopted and emerging development plan process and the last assessment relevant to the XTON business park within which the site is located dates back to 2009. My own assessment, utilising BE Group's scoring matrix demonstrates that it is a poor ranking site compared to the allocated employment sites within Chorley that have been assessed (scoring 46 out of 100).
- 6.11. The appeal site is not identified by the Council within the adopted Local Plan or any of the evidence base for the emerging local plan. It is not currently accounted for to address or accommodate any of the Council's employment land requirements within the adopted plan period or future plan period. Its loss will therefore not impact on any of the existing employment land supply figures the Council currently relies upon to meet future needs.

- 6.12. The existing employment land supply is also shown to be extremely high compared to employment land take up rates during the last 30 years and over the course of the current plan period. I have calculated that between 16–21 years of employment land supply within Chorley exists based on past take up rates, which is significant.
- 6.13. There are also local sites that have recently been developed providing opportunities for new and existing businesses at Strawberry Fields, Buckshaw Parkway and recent permissions and commencement works have started to take place at Botany Bay, which creates an immediate and future pipeline of employment premises within Chorley.
- 6.14. As such, the loss of the appeal site for housing development will not result in an adverse impact on the strategic employment aspects of Buckshaw Village and as noted above, the loss of the employment site will not undermine a key employment sector or the ability of business to locate within Central Lancashire or Chorley.
- 6.15. I therefore attach very limited weight to this impact.

Final Balance

- 6.16. Based on the above balancing exercise, I conclude that the various Impacts arising from the development are not significant and do not significantly and demonstrably outweigh the benefits when assessed against the requirements of the NPPF as a whole. On the basis to paragraph 11 of the NPPF and Policy MP of the Core Strategy, the appeal proposal should therefore be approved.

Town & Country Planning Act 1990 (as amended)
Planning and Compulsory Purchase Act 2004

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