

The Planning Inspectorate

PLANNING APPEAL FORM (Online Version)

WARNING: The appeal **and** essential supporting documents **must** reach the Inspectorate within the appeal period. **If your appeal and essential supporting documents are not received in time, we will not accept the appeal.**

Appeal Reference: APP/D2320/W/22/3295556

A. APPELLANT DETAILS

The name of the person(s) making the appeal must appear as an applicant on the planning application form.

Name	Mr Robin Seaton
Company/Group Name	Ministry of Justice
Address	c/o Cushman & Wakefield 1 Marsden Street Manchester M2 1HW
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

B. AGENT DETAILS

Do you have an Agent acting on your behalf?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Name	Miss Claire Pegg
Company/Group Name	Cushman & Wakefield
Address	Cushman & Wakefield 1 Marsden Street Manchester M2 1HW
Phone number	01612357638
Email	claire.pegg@cushwake.com
Your reference	GW2 Appeal
Preferred contact method	Email <input checked="" type="checkbox"/> Post <input type="checkbox"/>

C. LOCAL PLANNING AUTHORITY (LPA) DETAILS

Name of the Local Planning Authority	Chorley Borough Council
LPA reference number	21/01028/OUTMAJ

Date of the application

24/08/2021

Did the LPA validate and register your application?

Yes No

Did the LPA issue a decision?

Yes No

Date of LPA's decision

22/12/2021

D. APPEAL SITE ADDRESS

Is the address of the affected land the same as the appellant's address?

Yes No

Does the appeal relate to an existing property?

Yes No

Address

Land adjacent to HMP Garth and HMP Wymott
Leyland
Grid Ref Easting: 350521
Grid Ref Northing: 420854

Is the appeal site within a Green Belt?

Yes No

Are there any health and safety issues at, or near, the site which the Inspector would need to take into account when visiting the site?

Yes No

Please describe the health and safety issues

Part of the application site is within the secure perimeter of HMP Wymott.

E. DESCRIPTION OF THE DEVELOPMENT

Has the description of the development changed from that stated on the application form?

Yes No

Please enter details of the proposed development. This should normally be taken from the planning application form.

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))

Area (in hectares) of the whole appeal site [e.g. 1234.56]

43.5 hectare(s)

Area of floor space of proposed development (in square metres)

74604 sq metre(s)

Does the proposal include demolition of non-listed buildings within a conservation area?

Yes No

F. REASON FOR THE APPEAL

The reason for the appeal is that the LPA has:

1. Refused planning permission for the development.

2. Refused permission to vary or remove a condition(s).

3. Refused prior approval of permitted development rights.

- 4. Granted planning permission for the development subject to conditions to which you object.
- 5. Refused approval of the matters reserved under an outline planning permission.
- 6. Granted approval of the matters reserved under an outline planning permission subject to conditions to which you object.
- 7. Refused to approve any matter required by a condition on a previous planning permission (other than those specified above).
- 8. Failed to give notice of its decision within the appropriate period (usually 8 weeks) on an application for permission or approval.
- 9. Failed to give notice of its decision within the appropriate period because of a dispute over provision of local list documentation.

G. CHOICE OF PROCEDURE

There are three different procedures that the appeal could follow. Please select one.

- 1. Written Representations
- 2. Hearing
- 3. Inquiry

You must give detailed reasons below or in a separate document why you think an inquiry is necessary. The reasons are set out in

[see 'Appeal Documents' section](#)

(a) How many witnesses do you intend to call?

(b) How long do they need to give their evidence?

(c) How long do you estimate the inquiry will last?

H. FULL STATEMENT OF CASE

[see 'Appeal Documents' section](#)

Do you have a separate list of appendices to accompany your full statement of case? Yes No

(a) Do you intend to submit a planning obligation (a section 106 agreement or a unilateral undertaking) with this appeal? (Please attach draft version if available) Yes No

[see 'Appeal Documents' section](#)

(b) Have you made a costs application with this appeal? Yes No

I. (part one) SITE OWNERSHIP CERTIFICATES

Which certificate applies?

CERTIFICATE A

I certify that, on the day 21 days before the date of this appeal, nobody, except the appellant, was the owner of any part of the land to which the appeal relates;

CERTIFICATE B

I certify that the appellant (or the agent) has given the requisite notice to everyone else who, on the day 21 days before the date of this appeal, was the owner of any part of the land to which the appeal relates, as listed below:

CERTIFICATE C and D

If you do not know who owns all or part of the appeal site, complete either Certificate C or Certificate D and attach it below.

I. (part two) AGRICULTURAL HOLDINGS

We need to know whether the appeal site forms part of an agricultural holding.

(a) None of the land to which the appeal relates is, or is part of, an agricultural holding.

(b)(i) The appeal site is, or is part of, an agricultural holding, and the appellant is the sole agricultural tenant.

(b)(ii) The appeal site is, or is part of, an agricultural holding and the appellant (or the agent) has given the requisite notice to every person (other than the appellant) who, on the day 21 days before the date of the appeal, was a tenant of an agricultural holding on all or part of the land to which the appeal relates, as listed below.

J. SUPPORTING DOCUMENTS

01. A copy of the original application form sent to the LPA.

02. A copy of the site ownership certificate and agricultural holdings certificate submitted to the LPA at application stage (if these did not form part of the LPA's planning application form).

03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.

04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.

05. (a) Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.

05. (b) A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.

06. (a) Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application.

06. (b) A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.

07. A copy of the design and access statement sent to the LPA (if required).

08. A copy of a draft statement of common ground if you have indicated the appeal should follow the hearing or inquiry procedure.

09. (a) Additional plans, drawings or documents relating to the application but not previously seen by the LPA. Acceptance of these will be at the Inspector's discretion.

09. (b) A list of all plans and drawings (stating drawing numbers) submitted but not previously seen by the LPA.

10. Any relevant correspondence with the LPA. Including any supporting information submitted with your application in accordance with the list of local requirements.

11. If the appeal is against the LPA's refusal or failure to approve the matters reserved under an outline permission, please enclose:

- (a) the relevant outline application;
- (b) all plans sent at outline application stage;
- (c) the original outline planning permission.

12. If the appeal is against the LPA's refusal or failure to decide an application which relates to a condition, we must have a copy of the original permission with the condition attached.

13. A copy of any Environmental Statement plus certificates and notices relating to publicity (if one was sent with the application, or required by the LPA).

14. If the appeal is against the LPA's refusal or failure to decide an application because of a dispute over local list documentation, a copy of the letter sent to the LPA which explained why the document was not necessary and asked the LPA to waive the requirement that it be provided with the application.

K. OTHER APPEALS

Have you sent other appeals for this or nearby sites to us which have not yet been decided? Yes No

L. CHECK SIGN AND DATE

(All supporting documents must be received by us within the time limit)

I confirm that all sections have been fully completed and that the details are correct to the best of my knowledge.

I confirm that I will send a copy of this appeal form and supporting documents (including the full statement of case) to the LPA today.

Signature

Date

Name

On behalf of

The gathering and subsequent processing of the personal data supplied by you in this form, is in accordance with the terms of our registration under the Data Protection Act 2018.

The Planning Inspectorate takes its data protection responsibilities for the information you provide us with very seriously. To find out more about how we use and manage your personal data, please go to our [privacy notice](#).

M. NOW SEND

Send a copy to the LPA

Send a copy of the completed appeal form and any supporting documents (including the full statement of case) not previously sent as part of the application to the LPA. If you do not send them a copy of this form and documents, we may not accept your appeal.

To do this by email:

- open and save a copy of your appeal form
- locating your local planning authority's email address:

<https://www.gov.uk/government/publications/sending-a-copy-of-the-appeal-form-to-the-council>

- attaching the saved appeal form including any supporting documents

To send them by post, send them to the address from which the decision notice was sent (or to the address shown on any letters received from the LPA).

When we receive your appeal form, we will write to you letting you know if your appeal is valid, who is dealing with it and what happens next.

You may wish to keep a copy of the completed form for your records.

N. APPEAL DOCUMENTS

We will not be able to validate the appeal until all the necessary supporting documents are received.

Please remember that all supporting documentation needs to be received by us within the appropriate deadline for the case type. Please ensure that any correspondence you send to us is clearly marked with the appeal reference number.

You will not be sent any further reminders.

The documents listed below were uploaded with this form:

Relates to Section:	CHOICE OF PROCEDURE
Document Description:	Document containing detailed reasons why an inquiry is necessary.
File name:	Garth Wymott 2 - Inquiry reasoning.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A copy of the full statement of case.
File name:	Garth Wymott 2 - Appellant Statement of Case.pdf
Relates to Section:	FULL STATEMENT OF CASE
Document Description:	A planning obligation (a section 106 agreement or a unilateral undertaking).
File name:	Garth Wymott 2 - Draft Heads of Terms.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	01. A copy of the original application sent to the LPA.
File name:	Application Form.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	03. A copy of the LPA's decision notice (if issued). Or, in the event of the failure of the LPA to give a decision, if possible please enclose a copy of the LPA's letter in which they acknowledged the application.
File name:	Decision Notice.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	04. A site plan (preferably on a copy of an Ordnance Survey map at not less than 10,000 scale) showing the general location of the proposed development and its boundary. This plan should show two named roads so as to assist identifying the location of the appeal site or premises. The application site should be edged or shaded in red and any other adjoining land owned or controlled by the appellant (if any) edged or shaded blue.
File name:	608623-0000-PEV-GHX0011-ZZ-DR-A-9000 - Site Location Plan @A1.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.a. Copies of all plans, drawings and documents sent to the LPA as part of the application. The plans and drawings should show all boundaries and coloured markings given on those sent to the LPA.
File name:	Covering Letter.pdf
File name:	8a. Appendix A - BREEAM 2018 New Construction Pre-Assessment Report.pdf
File name:	8. Energy and Sustainability Statement.pdf
File name:	9. External Lighting Report.pdf
File name:	11a. Proposed Foul Water Drainage Strategy Report.pdf
File name:	10. Flood Risk Assessment.pdf
File name:	11c. Proposed Surface Water Drainage Strategy Report.pdf
File name:	11b. Proposed SUDS Strategy Report.pdf
File name:	12. Bowling Green Building Services Report.pdf
File name:	17. Socio Economic Statement.pdf
File name:	18. Statement of Community Involvement.pdf
File name:	21. Utility Report.pdf

File name: 15. Noise and Vibration Impact Assessment.pdf

File name: 13. Heritage Statement.pdf

File name: 20. Outline Travel Plan.pdf

File name: 22. Waste Management Strategy.pdf

File name: 16. Phase I and II Geoenvironmental Site Assessment.pdf

File name: 7. Ecological Impact Assessment (1 of 2).pdf

File name: 7. Ecological Impact Assessment (2 of 2).pdf

File name: 14. Landscape and Visual Impact Assessment (1 of 2).pdf

File name: 14. Landscape and Visual Impact Assessment (2 of 2).pdf

File name: 3. Air Quality Assessment.pdf

File name: 1. Planning Statement.pdf

File name: 4. Arboricultural Impact Assessment and Method Statement.pdf

File name: 6. Design and Access Statement.pdf

File name: 5. Archaeological Desk-Based Assessment.pdf

File name: 19. Transport Assessment.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9100 - Site Block Plan Proposed @A1 superseded.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-E-6310 - External Lighting Layout - Sheet 01 @A0.pdf

File name: 608623-0000-PEV-GHX0011-XX-SK-A-9016 - Pedestrian Approach Indicative CGI.pdf

File name: 608623-0000-PEV-GHX0011-XX-SK-A-9015 - Aerial View Indicative CGI.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-E-6312 - External Lighting Layout - Sheet 03 @A2.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9201 - Site Sections Existing @A1.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9001 - Site Block Plan Existing @A1.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9200 - Site Sections Proposed @A1.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9400 - Site Phasing Plan @A1.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9002 - Site Demolition Plan @A1.pdf

File name: 608623-0000-PEV-GHX0011-ZZ-DR-A-9000 - Site Location Plan @A1.pdf

File name: 608623-0000-PEV-GHX0011-XX-DR-L-0301 - Comprehensive Landscape Masterplan @A0.pdf

File name: 608623-0000-CEN-GHX0000-XX-SU-X-1000 - Topographical Survey @A0.pdf

File name: 608623-0000-PEV-GHX0031-R0-DR-A-9301 - Roof Plan Proposed (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-00-DR-A-9300 - Ground Floor Plan Proposed (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-A-9001 - Site Block Plan Existing (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-A-9100 - Site Block Plan Proposed (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-0502 - Proposed Highways-Proposed Surface Water Drainage (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-0700 - Proposed Highways General Arrangement Plan (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-0701 - Proposed Highways-Long Sections (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-A-9200 - Site Sections Existing (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-XX-DR-L-0405 - Bowling Green Landscape Proposals (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-0702 - Proposed Highways-Cross Sections (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-2600 - Visibility Splay Plan (BC) @A1.pdf

File name: 608623-0000-PEV-GHX0031-ZZ-DR-C-2601 - Swept Path Analysis-Light

File name:	Goods Vehicle (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-A-9201 - Site Sections Proposed (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-C-2603 - Swept Path Analysis-Standard Design Vehicle (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-C-2604 - Swept Path Analysis-Fire Tender (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-C-2602 - Swept Path Analysis-Refuse Vehicle (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-A-9400 - Elevations Proposed (BC) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-E-6310 - Bowling Green External Lighting Layout-Sheet 01 (BC) @A0.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-E-0600 - Proposed Site Utilities Plan (BC) @A0.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-E-6311 - Bowling Green External Lighting Layout-Sheet 02 (BC) @A0.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-C-6501 - Drainage Details (BC) @A1.pdf
File name:	608623-0000-CUS-GHX0000-XX-RP-T-0004 - Portacabin Details and Photo Sheet (BH).pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9100 - Site Block Plan Boiler House Proposed (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9001 - Site Block Plan Boiler House Existing (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9002 - Site Block Plan Car Park Existing (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9101 - Site Block Plan Car Park Proposed (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2601 - Swept Path Analysis-Light Goods Vehicle (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-0700 - Proposed Highways General Arrangement Plan (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9201 - Site Sections Existing (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2602 - Swept Path Analysis-Refuse Vehicle (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-A-9200 - Site Sections Proposed (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2600 - Visibility Splay Plan (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-E-6300 - Boiler House & Relocated Car Park External Lighting Layout (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2603 - Swept Path Analysis-Standard Design Vehicle (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2604 - Swept Path Analysis-Articulated Heavy Goods Vehicle (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-2605 - Swept Path Analysis-Fire Tender (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0021-ZZ-DR-C-6501 Drainage Details (BH) @A1.pdf
File name:	608623-0000-PEV-GHX0031-ZZ-DR-A-9500 - Proposed 3D Visuals (BC) @A1.pdf
File name:	7a. Biodiversity Net Gain Calculation.pdf
File name:	608623-0000-PEV-GHX0011-ZZ-DR-E-6311 - External Lighting Layout - Sheet 02 @A0.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.b. A list of all plans, drawings and documents (stating drawing numbers) submitted with the application to the LPA.

File name:	Garth Wymott 2 - 05b List of submitted plans and documents.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	05.(c) A list of all plans, drawings and documents upon which the LPA made their decision.
File name:	Garth Wymott 2 - 05c List of plans and documents for decision.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.a. Copies of any additional plans, drawings and documents sent to the LPA but which did not form part of the original application (e.g. drawings for illustrative purposes).
File name:	Agricultural Land Classification Assessment.pdf
File name:	Response to Public Comments.pdf
File name:	Response to United Utilities Comments.pdf
File name:	Response to LLFA Comments.pdf
File name:	Water vole survey.pdf
File name:	Bat activity surveys.pdf
File name:	Barn owl survey.pdf
File name:	Biodiversity Net Gain Report.pdf
File name:	Transport Assessment – Technical Addendum.pdf
File name:	Bat Roost Surveys (Woodland).pdf
File name:	Bat Roost Surveys (Buildings).pdf
File name:	608623-0000-PEV-GHX0011-ZZ-DR-A-9100 - Site Block Plan Proposed @A1.pdf
File name:	Great Crested Newt Survey.pdf
File name:	Response to Sport England Comments.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	06.b. A list of all plans, drawings and documents (stating drawing numbers) which did not form part of the original application.
File name:	Garth Wymott 2 - 06b List of plans and documents not forming part of the original application.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	07. A copy of the design and access statement sent to the LPA.
File name:	6. Design and Access Statement.pdf
Relates to Section:	SUPPORTING DOCUMENTS
Document Description:	08. A copy of a draft statement of common ground.
File name:	Garth Wymott 2 - Draft Statement of Common Ground.docx
Completed by	MISS CLAIRE PEGG
Date	25/03/2022 10:13:35