

13 October 2009

Dear Councillor

DEVELOPMENT CONTROL COMMITTEE - TUESDAY, 13TH OCTOBER 2009

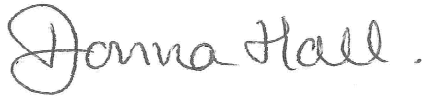
The following report was tabled the above meeting of the Development Control Committee.

Agenda No Item

10. **Addendum (Pages 1 - 14)**

The following addendum was tabled at the meeting (enclosed)

Yours sincerely



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Chief Executive

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આ માહિતીનો અનુવાદ આપની પોતાની ભાષામાં કરી શકાય છે. આ સેવા સરળતાથી મેળવવા માટે કૃપા કરી, આ નંબર પર ફોન કરો: 01257 515822

ان معلومات کا ترجمہ آپکی اپنی زبان میں بھی کیا جاسکتا ہے۔ یہ خدمت استعمال کرنے کیلئے براہ مہربانی اس نمبر پر ٹیلیفون
کیجئے: 01257 515823

COMMITTEE REPORT

REPORT OF	MEETING	DATE	ITEM NO
Corporate Director (Business)	Development Control Committee	13/10/09	

ADDENDUM

ITEM1: 09/00640/FUL – Demolition of existing bungalow and erection of 7 two storey detached dwellings with associated garages and infrastructure (resubmission of application 09/00541/FUL)

The recommendation has been amended as follows:

That Members delegate matters to the Chair to consider any further comments received and decide if the matter needs to be referred back to committee, otherwise subject to the receipt of a signed section 106 agreement the application is recommended for approval.

A procedural matter has arisen during the course of this application of which Member's need to be aware. It transpired that a number of neighbours who were consulted on the original application (09/00541/FUL) were not consulted at the initial stages of the current application. These neighbours have subsequently been consulted, however the consultation period does not now expire until the 19th of October. All neighbours have been informed of the date of the Committee meeting and invited to make comments/and or attend.

Since the committee report was written comments have been received from:

United Utilities: no objection to the proposal provided that the site is drained on separate system, with only foul drainage connected to the foul sewer.

Arboricultural Officer: no objection to removal of leylandii hedge

A further seven letters (two from one address) have been received from neighbouring properties. They make the following comments:

- There is no economic need for more executive style 4 bed detached houses;
- Plot 2 on Ewell Close is at an incongruous angle to the rest of the road and should be repositioned;
- There should be a fixed schedule of works under penalty to prevent piecemeal development;
- The conifer hedge is a valuable wildlife resource;
- The development must be with minimum disturbance;
- In reality this particular site is hardly brownfield;
- Concerns regarding road safety at the junction of Ewell Close and Dorking Road;
- Not enough parking is being provided;
- Extra cars parked on the road, walls, trees and hedges will obstruct visibility;
- The care home at number 20 gives rise to vehicles being parked on the road and continual traffic;
- It would be difficult to park cars on the driveway at plot 7;
- There would not be enough distance between plot 3 and no. 12 & no. 14 Dorking Road;

- The distance between plot 4 & no. 16 Dorking Road appears to be less than 20m;
- Object to the loss of the highway verge;
- Under the LCC Residential Road Guide Dorking Road would be classed as a Type 4A road and Ewell Close a Type 5A road. The sightline for such a junction should comprise of a sightline envelope measured from a point 2.4m into Ewell Close to a point 60m to the left on Dorking Road. The proposed development sites house, trees and drives within the envelope;
- What is the timescale for development;
- Current water systems are unable to cope and mains services are under strain;
- The estate junction onto Blackburn Road is unsafe;
- All the proposed properties on Dorking Road appear to be in front of the building line of existing properties, this gives a terracing and overbearing effect;
- The proposed front gardens are small – some within 4m of the public pathway;
- Most of the front windows are bay windows - is this being taken into account in the measurements;
- There appears to be a shortfall in the minimum requirement of 21m ;
- The lower slab level of the bungalows needs to be taken into account.

The site plan's do appear to allow for the dining room bay windows to be included in the house plans, even if extra distance is allowed for the projection of the lounge/bed 1 bay windows (0.5m), the interface standards are still all met met. As indicated in the main report, the main relationship of concern

The applicant has provided amended plans of the proposed garages, now with internal dimensions of 6m by 3m. An amended site layout plan including the large garages is awaited (although this could be secured by condition if a plan is not received in time). All dwellings are now considered to have at least three off road parking spaces in accordance with the draft RSS Parking Standards.

Cllr Edgerley has asked that the following issues be considered:

My ward colleagues and I are not opposed to the principle of development but are concerned about a number of aspects as follows.

The number of properties seems essentially to have been derived from PPG3 but as the report says the surrounding estate is of a less dense nature. Should that less dense nature not be more pertinent in determining the density of this development?

In addition the development on this site would also seem to be constrained by

- the triangular shape of the site
- the topography; in particular the difference in level compared with the existing bungalows on Dorking Road
- existing dwellings around the site.

It strikes us that these all make it difficult to achieve satisfactory relationships with the existing properties given the number and type of dwellings proposed. The report seems to suggest that 4 bedroom houses make it difficult to meet the guidance on garage provision in the manual for streets. Does this not suggest a reduction in either the number of dwellings or a reduction in the size of dwellings or both?

The report deals with the relationship with bungalows on Dorking Road and highlights the difference in levels as a cause for concern. Would this concern not be more adequately met by bungalows on this part of the site? Elsewhere on Dorking Road there are existing houses opposite existing bungalows but the separation is greater, the fall in levels is less and the

gables of the bungalows not their windows face the houses. These all make the relationship better. These standards cannot be met at the application site so perhaps active consideration to bungalows should be given.

In the report dealing with the earlier withdrawn application there was reference to an unsatisfactory relationship of a garage to No 13 Dorking Road. This relationship seems to have been improved a little but would it not be improved more by having an integral garage and taking the building line further back into the site?

It may be easier to meet the relevant interface standards with bungalows on the site, however, the choice of type of dwellings on the site is not a matter that the Council can impose upon the applicant (this is supported by case law). The interface standards are the means by which the council can seek to ensure the amenities of neighbouring residents.

Moving the position of dwelling further to the rear on plot 7 (which is adjacent to no. 13 Dorking Road) would result in an unsatisfactory relationship (interface standards would not be met) with plot 1 to the rear and no. 6 Ewell Close. The position of the garage complies with the 45 degree plus 3m guidelines taken from the nearest ground floor window of no. 13 Dorking Road.

It is recommended that the application be subject to the following conditions:

1. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area, to ensure that there is not an undue increase in surface water run-off and in accordance with Policy Nos. GN5, HS4 and EP18 of the Adopted Chorley Borough Local Plan Review.

3. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.

4. In accordance with the recommendations set out in the Conclusions and Recommendations of the Bat survey Results dated 31st August 2009, any loose roofing tiles and wooden hanging tiles should be dismantled by hand.

Reasons: In the interests of species protection and in accordance with Policy EP4 of the adopted Chorley Borough Local Plan Review and PPG9

5. No development shall take place until a scheme for the installation of bat and bird boxes on the site (as required in the recommendations contained in paragraph 4.6 of the Ecological Survey and Assessment) has been submitted to and approved in writing by the Local Planning Authority.

Reasons: In the interests of species protection and in accordance with PPG9 and policy EP4 of the Adopted Chorley Borough Local Plan Review.

6. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 and EM2 of the Adopted Chorley Borough Local Plan Review.

Please Note: You are informed that the responsibility for safe development and secure occupancy of the site rests with the developer. The Local Planning Authority has determined the application on the basis of the information submitted, but this does not mean that the site is free from contamination.

Please note: If any evidence of bats is found during the course of the development then works should cease immediately and further advice sought from a bat ecologist.

Please note: Breeding wild birds are protected under Part 1 of the Wildlife and Countryside Act 1991, which makes it an offence to destroy or damage nests, eggs or chicks. The applicant is therefore advised that clearance of trees, shrubs and ivy should take place outside of the nesting season (mid March to Mid August inclusive).

Please note: Your attention is drawn to the existence of a separate legal agreement under Section 106 of the Town and Country Planning Act 1990 which relates to the use or development of the land to which this permission relates.

ITEM 2: 08/00910/OUTMAJ- Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works.

**The recommendation has been amended as follows:
Permit (subject to a legal agreement and appropriate additional/ amended conditions, where necessary, to address the matters highlighted in the report.)**

The following conditions have been amended as follows:

2, Subject to Condition 3 (below) before any Phase of the development (as identified on the approved Masterplan reference 895/97A) or a Sub-Phase of a Phase (as defined by Condition 3 (below)) hereby permitted is first commenced, full details of all reserved matters relating to that Phase or Sub-Phase (namely the appearance, layout, scale and landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority. Approval of the reserved matters shall be obtained from the Local Planning Authority in writing for each Phase or Sub-Phase of the development before each respective Phase or Sub-Phase of the development (excluding works of demolition, site remediation and archaeological investigation) is commenced, unless otherwise agreed in writing by the Local Planning Authority.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004

5, Prior to the submission of any reserved matters applications on the site pursuant to Condition 2 a Design Code shall be submitted to and approved in writing by the Local Planning Authority. This Design Code shall be produced in accordance with the Design and Access Statement dated August 2008 and the Supplementary Report to the Design and Access Statement dated January 2009. The Design Code shall include the design principles for the whole of the site and will incorporate, amongst other elements,:

- The Masterplan for the site
- Specific character areas incorporating detailing design requirements
- A highway hierarchy and design considerations including the alignment of the main road through the site linking Central Avenue to the A49
- A greenspace and landscape structure
- A movement framework
- Layout considerations
- Parking and garaging
- Appropriate building and hardsurfacing materials
- Details of appropriate boundary treatments
- Lighting
- Signage and signposting
- Sustainability
- Details of the laying of services, drainage and cables
- Bin storage and rubbish collection
- Ecology and nature conservation

Each reserved matters application thereafter shall be submitted in accordance with the Approved Design Code unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a comprehensive approach to the development of this site is achieved and in the interests of the proper planning of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review

9. Prior to the commencement of the development a movement strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the road hierarchy through the site and the footpath/ cycle linkages through the site. The development thereafter shall be carried out in accordance with the approved movement strategy unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the proper development of the site and to promote connectivity through the site and with the adjacent/ nearby existing Villages. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review

10. Prior to the commencement of the development a landscape strategy shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall include details of the informal open space and the structure planting along the southern and western boundaries of the site. In particular the strategy shall detail the phasing of the tree removal along the southern railway boundary, details of the phasing of the replacement tree planting along the southern boundary and the type and size of trees to be planted along the southern boundary. All reserved matters application shall be submitted in accordance with the approved landscape strategy and the development thereafter shall be carried out in accordance with the approved landscape strategy, unless otherwise agreed in writing by the Local Planning Authority

Reason: In the interests of the proper development of the site. In accordance with Policy GN2 of the Adopted Chorley Borough Local Plan Review

12. Prior to the commencement of the development a surface water drainage strategy (including a surface water attenuation strategy) shall be submitted to and approved in writing by the Local Planning Authority. The drainage of the site shall thereafter be fully implemented and completed in accordance with the approved strategy, unless otherwise agreed in writing by the Local Planning Authority

Reason: To enable the Local Authority to assess the effects of the proposed development on flood defence/ land drainage. In accordance with Policy EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk

13. Prior to the commencement of the development full details to measures to reduce dust and particulate matter resulting from the construction works shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall be in accordance with the submitted Environmental statement (Pages 101 and 102) which detail the mitigation measures to be employed at the site during demolition and construction activities. The development thereafter shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority

Reason: To reduce the amount of dust and particulate matter created as a part of the development of the site, in order to minimise the air quality impacts and to provide adequate mitigation measures to reduce dust production. In accordance with Policy EP21 of the Adopted Chorley Borough Local Plan Review

14. Before the development of any Phase or Sub-Phase hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected for that Phase or Sub-Phase (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building/ dwelling for that Phase or Sub-Phase shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy Nos. GN5, HS4 and EM2 of the Adopted Chorley Borough Local Plan Review

15. Samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development of that Phase or Sub-Phase. The development of each Phase or Sub-Phase shall only be carried out using the external facing materials for that Phase or Sub-Phase approved pursuant to this Condition, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review

16. Full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) for each Phase or Sub-Phase shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that Phase or Sub-Phase of development. The development of that Phase or Sub-Phase shall only be carried out using the approved materials. The development shall only be carried out in conformity with the approved details unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

17. No Phase or Sub-Phase of the development shall commence until a scheme detailing the on-site measures to be installed and implemented so as to reduce carbon emissions, by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot, by means of low carbon sources has been submitted to and approved in writing by the Local Planning Authority for that Phase or Sub-Phase. The submitted scheme shall also include full details of the predicted energy use of the development expressed in terms of carbon emissions (If no data specific to the application is available benchmark data will be acceptable) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

22. Any application for approval of reserved matters of a Phase or Sub-Phase pursuant to Condition 2 (above) shall include the submission for approval of a Tree Constraints Plan which gives full details of all existing trees within that Phase or Sub-Phase which are proposed to be retained in accordance with the tree survey approved pursuant to planning approval reference 09/00095/FULMAJ and the measures which will be implemented in order to secure their protection during the course of the development and retention thereafter. No development in any phase or sub-phase shall commence until the approved tree protection measures have been put in place and the development of the relevant Phase or Sub-Phase shall thereafter proceed in full accordance with the approved Tree Constraints Plan for that Phase or Sub-Phase, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review

25. No Phase or Sub-Phase of the development shall be commenced until a validation report, pursuant to condition 22 above, containing any validation sampling results for that Phase or Sub-Phase have been submitted to and approved in writing by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It should also include any plan (a long term management and maintenance plan) for longer term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The development thereafter shall be carried out in accordance with the approved management and maintenance of the plan, unless otherwise agreed in writing by the Local Planning Authority

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

31. No development shall take place until full details of the main road through the site between the junction on Central Avenue and the junction on the A49 have been submitted to and approved in writing by the Local Planning Authority. Thereafter Phase 2 of the development, as shown on the Masterplan (reference 895/97A dated 28th August 2009), shall not be commenced until the main road through the site has been constructed between the junction on Central Avenue and the junction on the A49 in accordance with the approved details and is open to public traffic.

Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

33. Prior to the commencement of the development a programme of archaeological work, for the area of the site detailed on plan reference 895/99, received 2nd September 2009, shall be submitted to and approved in writing by the Local Planning Authority. No work in the area defined on plan reference 895/99 received on 2nd September 2009 shall take place until the approved archaeological scheme of investigation has been completed in accordance with the approved details .

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

34, A scheme of landscaping for each Phase or Sub-Phase shall be submitted and agreed in writing prior to the commencement of that Phase or Sub-Phase of development. The scheme shall indicate the types and numbers of trees and shrubs to be planted, their distribution on the site, those areas to be seeded, paved or hard landscaped, detail any changes of ground level and shall be in accordance with the approved landscape strategy pursuant to conditions four and five. Landscaping and restoration schemes should aim to protect, enhance, expand and connect existing habitats and Biological Heritage Sites and re-establish habitats between the Biological Heritage Sites and the development site. Landscaping and restoration schemes should also aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review

38. Prior to the occupation of the dwellinghouses hereby permitted a scheme demonstrating that the following internal noise levels will not be exceeded within any of the dwellinghouses: LAeq 2300-0700hrs = 35dB, LAm_{ax} 2300-0700 hrs = 45dB, shall be submitted to and approved in writing by the Local Planning Authority. The dwellinghouses shall not be occupied until the approved scheme has been implemented in accordance with the approved details. The approved measures shall be maintained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the amenities of the future residents and in accordance with Policy Nos. EP20 of the Adopted Chorley Borough Local Plan Review.

41, The Class A1 retail floorspace hereby permitted shall not exceed 1,000 square metres/ 10,765 square feet gross.

Reason: To enable the provision of the needs of the development to be met on the site in the interests of sustainability without adverse effects on nearby centres.

43. No dwellings shall be occupied with 25 metres of the two Neighbourhood Equipped Areas for Play (as identified on the Masterplan reference 895/97A received 28th August 2009) until the play area has been constructed and completed in accordance with plans which have previously been submitted to and approved in writing by the Local Planning Authority, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure the provision of equipped play space to benefit the future occupiers of the site and in accordance with Policy HS19 of the Adopted Chorley Borough Local Plan Review.

44, Surface water must drain separately from the foul sewerage system and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EM2 of the Adopted Chorley Borough Local Plan Review.

45. No development of Phase 2, detailed on Masterplan reference 895/97A received 28th August 2009, shall commence until the works to the landfill zone adjacent to the site have been completed in accordance with planning permission 09/00058/CTY, unless otherwise agreed in writing by the Local Planning Authority

Reason: To ensure that adequate ecological mitigation is provided in a specified time scale for the ecological impacts of the remediation and redevelopment of the site. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation and in accordance with Policies EP4 and EP9 of the Adopted Chorley Borough Local Plan Review.

The following conditions have been added:

46, Prior to the commencement of any phase or sub phase of development, proposed measures to prevent long-term impacts on adjacent Biological Heritage Sites and other habitats shall be submitted for approval by the planning authority. This shall include measures to prevent the establishment of informal access routes into sensitive habitats, measures to prevent trampling or other recreational pressures on sensitive habitats, prevention of garden waste tipping or extension of gardens into sensitive habitats, measures to prevent colonization of Biological Heritage Sites and other habitats by exotic/non-native species, measures to reduce the likely impacts of domestic pets on sensitive habitats and associated species and measures to reduce negative impacts of edge effects on semi-natural habitats. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: to provide long-term protection to Biological Heritage Sites and semi-natural habitats and to ensure compliance with Government advice contained in PPS9 and Policies EM1 and DP7 of the Regional Spatial Strategy

47, Prior to the commencement of each Phase of the development (as shown on the details to be approved pursuant to Condition 3), full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design, specification and locations. The wheel wash facilities shall be provided, in accordance with the approved details, before the commencement of the development of the relevant Phase and thereafter retained at all times during operation of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

Condition 6 has been deleted

ITEM 3: 09/00095/FULMAJ- Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares).

The recommendation has been amended as follows:

Permit (subject to a legal agreement and appropriate additional/ amended conditions, where necessary, to address the matters highlighted in the report.)

The following conditions have been amended:

4. If, during development, contamination not previously identified is found to be present at the site then development shall immediately cease and no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement which forms part of Report Ref: B0031-02-R9-B detailing how this unsuspected contamination shall be dealt with. The development thereafter shall be carried out in accordance with the approved method statement, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in PPS23: Planning and Pollution Control

6. Prior to the commencement of each Phase of the development (as shown on the details to be approved pursuant to Condition 3), full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the design, specification and locations. The wheel wash facilities shall be provided, in accordance with the approved details, before the commencement of the development of the relevant Phase and thereafter retained at all times during operation of the site, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

8. No works, including site clearance, site preparation or development work shall take place within 250 metres of identified great crested newt ponds until a detailed great crested newt mitigation method statement, based on the outline mitigation proposals set out within the Ecological Statement dated February 2009 submitted with the application, has been submitted and approved in writing by the Local Planning Authority. The approved method statement shall thereafter be fully implemented and completed as part of the development in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the continued protection of protected species on the site. In accordance with Government guidance contained in PPS9: Biodiversity and Geological Conservation and Policy EP4 of the Adopted Chorley Borough Local Plan Review

9. Prior to the felling of trees, identified within the submitted Ecological Statement dated February 2009, which have the potential to support roosting bats further bat surveys shall be undertaken to establish the presence of bats/ bat roosts. Prior to felling the trees the survey shall be submitted to and approved in writing by the Local Planning Authority. If any bats are present then the survey report shall include a mitigation method statement to demonstrate how detrimental impacts on the bat population will be avoided. The development thereafter shall be carried out in accordance with the approved mitigation measures unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the continued protection of protected species on the site. In accordance with Government guidance contained in PPS9: Biodiversity and Geological Conservation and Policy EP4 of the Adopted Chorley Borough Local Plan Review

11, Prior to the commencement of the development (including site clearance, site preparation and development work) a detailed mitigation/compensation scheme for ecological impacts shall be submitted to and approved in writing by the Local Planning Authority. The mitigation/compensation scheme shall include habitat re-establishment proposals to off-set all habitat losses, measures to protect and enhance the Biological Heritage Sites and other semi-natural habitats; the re-establishment of semi-natural habitats between the Biological Heritage Sites and the proposed development platform, mapped and quantified areas of habitat re-establishment and enhancement; and methods of vegetation translocation, habitat re-establishment, after care, long-term management and monitoring. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the ecological value of the site and in accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation and Policies EP2, EP3 and EP4 of the Adopted Chorley Borough Local Plan Review. To ensure enhanced quantity and quality of biodiversity and habitat as required by Policies EM1 and DP7 of The North West of England Regional Spatial Strategy. To mitigate / compensate for short term and long-term impacts on Biological Heritage Sites and other habitats of ecological importance

12, Within 12 months of the commencement of the development (including site clearance, site preparation and development work) a habitat management plan for the Biological Heritage Sites, woodland areas, grasslands, semi-natural habitats and re-established habitats within the site shall be submitted to and approved in writing by the Local Planning Authority. As well as nature conservation management methods, the management plan shall address measures to control and off-set potential long-term impacts on habitats, including impacts that may result from recreational pressure. The management plan shall also include a monitoring scheme and periodic review of management prescriptions. The Management Plan shall cover a period of 25 years following the completion of the remediation and reclamation works. The Management Plan thereafter shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the satisfactory management, maintenance and retention of habitats. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation, Policies EM1 and DP7 of the Regional Spatial Strategy and Policies EP2 and EP9 of the Adopted Chorley Borough Local Plan Review.

13, Prior to the commencement of the development the scope of a tree survey of the entire site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the commencement of the development, the agreed tree survey shall be undertaken. The survey shall be carried out in accordance with British Standard BS5837:2005 and shall detail the type, size, maturity, health and required root protection areas of all the trees on site. This survey shall be submitted to the Local Planning Authority and the site shall be made available for the Local Planning Authority to assess the trees to ascertain which trees are both worthy and capable of retention. No development shall be commenced until the Local Planning Authority has provided written confirmation of which trees will be retained as part of the development and which can be removed. The development thereafter shall be carried out in accordance with the approved details and no tree which the Local Planning Authority has confirmed in writing should be retained as part of the development pursuant to this Condition shall be removed unless the Local Planning Authority agrees otherwise in writing.

Reason: In the interests of the visual amenities of the site and in accordance with policy EP9 of the Adopted Chorley Borough Local Plan Review.

14, During the construction period, all trees to be retained which are directly adjacent to the remediation works, pursuant to Condition 13 above, shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

15. Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To safeguard the visual amenity of the area and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

17, Prior to the commencement of the development hereby approved, notwithstanding the submitted details, a scheme of landscaping shall be submitted to and approved in writing by the Local Planning Authority for the following area of the site (demonstrated on plan reference 976/P/09 dated 9th February 2009):

Landscape Area 2

The schemes shall indicate all existing trees and hedgerows on the land; detail any to be retained (in accordance with Condition 13 above), together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The replacement trees shall include mainly semi-mature heavy standard trees. The development thereafter shall be carried out in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of the amenity of the area and to provide adequate mitigation for the impacts on the Biological Heritage Sites and geological assets resulting from the remediation activities. In accordance with Government advice contained in PPS9: Biodiversity and Geological Conservation and Policy Nos. GN5, EP2 and EP9 of the Adopted Chorley Borough Local Plan Review.

18, All planting, seeding or turfing comprised in the approved details of landscaping (conditions 16 and 17) shall be carried out in the first planting and seeding seasons following the completion of the remediation 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.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

22. Prior to the commencement of the development full details to measures to reduce dust and particulate matter resulting from the remediation activities shall be submitted to and approved in writing by the Local Planning Authority. The details submitted shall be in accordance with the Environmental statement (Pages 101 and 102), submitted as part of planning application 08/00910/OUTMAJ, which detail the mitigation measures to be employed at the site during demolition and remediation activities. The development thereafter shall be carried out in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To reduce the amount of dust and particulate matter created as a part of the remediation of the site, in order to minimise the air quality impacts and to provide adequate mitigation measures to reduce dust production. In accordance with Policy EP21 of the Adopted Chorley Borough Local Plan Review