

APPLICATION REPORT – 19/00909/OUTMAJ

Validation Date: 24 September 2019

Ward: Chorley North East

Type of Application: Major Outline Planning

Proposal: Outline application for the erection of 8no. dwellings with associated parking (with all matters reserved save for access)

Location: Formerly Mormon Church Water Street Chorley

Case Officer: Mr Iain Crossland

Applicant: Mr Peter Baker, GMT Properties

Agent: Mr Waseem Azam, LMP Ltd

Consultation expiry: 3 January 2020

Decision due by: 17 January 2020

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions.

SITE DESCRIPTION

2. The application site is located within the core settlement of Chorley, close to Chorley Town Centre and is also within St. Laurence's Conservation Area. It comprises vacant land following the demolition of a former factory building some time ago and has since become overgrown with vegetation. The topography of the area is distinctive and there is a steep increase in levels to the rear of the site up to Park Street and Par Road to the north west.
3. There is a terrace of traditional appearance to the west of the site, and dwellings of more recent design style opposite the site on the other side of Water Street. Those properties opposite have gardens and parking areas, whilst those to the west have small front gardens and a front boundary wall to define the curtilage. There is a distinctive stone stepped footpath to the east and the grade II listed Chorley Unitarian Chapel to the north west in addition to locally listed buildings at The Old Manse and 2 Park Street.
4. It is noted that there is an extant planning permission for the construction of a two storey office building and associated car park at the site approved in April 2019 (ref. 18/00946/FUL).

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks outline planning permission, with all matters reserved save for access, for the erection of eight dwellings. Therefore, details of appearance, landscape, layout, and scale are reserved and are not for consideration at this time. Only the acceptability of the principle of providing eight residential dwellings on the site is for consideration.
6. An indicative layout has been submitted showing the eight dwellings positioned parallel to Water Street in a standard layout. Indicative houses types of two storey dwellings have also

been provided. This demonstrates how eight properties could be set out on the site, and that it is possible to accommodate eight dwellings on the site in addition to the associated parking and garden space.

7. It is noted that the application originally sought outline planning permission for ten dwellings, however, this has since been reduced due to concerns about the available space for parking, landscaping and the potential impact on the character of the area.

REPRESENTATIONS

8. Representations have been received from the occupiers of 3no. addresses citing the following grounds of objection:
 - Impact on the character of the conservation area.
 - Too much off street parking, which is not a feature of the conservation area.
 - Loss of the stone wall.
 - Flood risk and drainage impact.
 - Lack of on street parking.
 - Concern about proposed development on Teck Street and issue with rights of access and land ownership.

CONSULTATIONS

9. Environment Agency: Have no objection.
10. Greater Manchester Ecology Unit: Have no objection subject to conditions.
11. Waste & Contaminated Land: Have no objection subject to conditions.
12. Lancashire County Council Highway Services: Have no objection subject to conditions.
13. Lead Local Flood Authority: Have no objection subject to conditions.
14. United Utilities: Have no objection subject to conditions.
15. The Coal Authority: Have no objection subject to conditions.

PLANNING CONSIDERATIONS

Principle of development

16. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay. One of the core principles of National Planning Policy Framework (the Framework) is that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location with good access to public transport and a wide range of amenities.
17. Chorley town is identified as a key service centre and the focus of growth and investments under Core Strategy policy 1 (b).
18. Policy V2 of the Chorley Local Plan 2012 – 2026 states that within the settlement areas excluded from the green Belt, and identified on the Policies Map, there is a presumption in favour of appropriate sustainable development, subject to material planning considerations and compliance with other Development Plan policies.
19. Therefore, it is considered that the 'principle' of the proposed dwellings is acceptable.

Impact on designated heritage asset

20. Policy BNE8 of the Chorley Local Plan 2012 – 2026 seeks to protect and enhance designated heritage assets. The application site is located on Water Street within the St Lawrence's Conservation Area, and close to the grade II listed Chorley Unitarian Chapel. It lies opposite dwellings and a car park of entirely modern, late 20th Century era and of no particular historic, architectural or cultural significance and is at a significantly lower level to the Chorley Unitarian Chapel. Any proposed development would not, therefore, affect the setting or significance of this building.
21. The application site itself was formerly occupied by four terraced houses and the Mormon Church, prior to the opening of the Preston Temple. Whilst this is only an application for outline planning permission, with all matters reserved save for access, some indication of the design and number of proposed dwellinghouses is shown. This initially submitted plans showed 10 units arranged in five sets of two with parking to the front and very small private amenity space to the rear. This would have resulted in a poor design solution that would potentially created a vista of twenty cars parked on the frontage. There is a stone wall to the front site boundary, which is of some historic interest, and which would be removed to enable this level of parking. This would have resulted in a harmful impact on the character of the conservation area.
22. The number of proposed dwellings has, therefore, been reduced to eight, which would allow for them to be arranged in four sets of two with parking to the sides and the incorporation of more private amenity space and landscaping to the front. This would reflect the arrangement of the dwellings on the opposite side of Water Street. In addition to this parts of the stone wall could be retained, which would be of benefit in terms of retaining local character.
23. It is considered that a carefully designed residential development, of an appropriate scale, using appropriate materials, could be provided at the application site, which would continue to preserve the appearance and character of the conservation area and that of nearby listed buildings.
24. As such it is considered that an application in outline only can be determined in this instance, given the position within a less significant part of the conservation area, and levels difference relative to listed buildings to the north west.
25. It is considered that the proposed development would have no material impact on either the appearance or setting of the St. Laurence's Conservation Area or any listed buildings, or the significance of these designated heritage assets, and is, therefore, considered to be in conformity with S.66 and S.72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

Impact on character and appearance of locality

26. The application seeks outline planning permission with all matters reserved. Therefore, no details of how the proposed dwellings would look, their scale or where they would be sited have been formally submitted. However, an indicative layout and house type have been provided, which demonstrates that eight dwellings would be provided arranged in four sets of two with parking to the sides. The dwellings would be of modern design style.
27. The prevailing dwelling types within the vicinity of the application site are modern mews style dwellings located opposite and a traditional red brick terrace located to the west side. The indicative proposal reflects the form and arrangement of those dwellings opposite and would be appropriate in this context.
28. It is considered that eight semi-detached properties in this location can assimilate with the built form of Water Street. The dwellings themselves in this position would be logical and would help to create an active street frontage on an otherwise derelict site. It is noted that the proposal has been amended down from ten dwellings to eight, with retention of the stone wall where possible. The revised number of properties enables the off street parking

to be provided in a more inconspicuous manner that would result in a similar arrangement to the dwellings on the opposite side of Water Street.

29. Therefore, whilst consent is not sought for matters of appearance, layout, scale and landscaping at this stage it is considered that eight dwellings could be accommodated on the application site without causing harm to the character and appearance of the locality. The development therefore complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Neighbour amenity

30. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
31. Consent is not sought for matters of layout at this stage and the final position of the dwellings and their type may change from the indicative details provided. However, having regard to the position and location of the adjacent property at 25 Water Street and those opposite at 50 to 68 Water Street, it is considered that a development of eight dwellings could be designed to accord with the Council's interface standards. The properties to the north west of the site are at a significantly higher land level and it is anticipated that the development can be designed not have any impact on these dwellings. It is, therefore, considered that the development could be delivered without adversely affecting the amenity of any existing or future occupiers.

Highway safety

32. Lancashire County Council (LCC) Highways have confirmed that they do not have any objections regarding the proposed development and are of the opinion that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site.
33. For the promotion of sustainable forms of transport and to aid social inclusion LCC highways requested that the applicant contributes towards a bicycle wheel ramp on the steps to the east of the site. The steps are part of the PROW and are Footpath 29. The steps are not owned by the applicant and are not in the ownership of LCC, therefore it is unlikely that the facility could be delivered. In addition, the site is situated in a sustainable location and does not give rise to any adverse impacts which require mitigation or the delivery of additional infrastructure. It is not considered that the bicycle wheel ramp is necessary to mitigate the development and therefore the Local Planning Authority is unable to secure its provision.
34. The applicant is requested to enter into a s278 agreement for the formation of the driveways and the removal of the bus stop marking and poles.
35. The wall fronting the site is a retaining wall and any works to the wall should avoid debris being left on the footway. It is requested that at reserved matters stage further details into the proposed methods and wagon movements for the removal of material from the site is provided. It is also requested at reserved matters stage that the gradients for the driveways and pedestrian access for the proposed dwellings is provided.
36. A Traffic Management Plan is requested to protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.
37. The proposal as shown on the indicative plan, reference 19/064/P01 Rev.A is acceptable in principle, however, any approval of outline planning permission would be subject to further details and it is recommended that conditions are attached to specify these.
38. Given the size of the application site it is considered that adequate parking spaces could be accommodated to serve eight 3 bedroom dwellings, by way of driveway spaces. This would

ensure that the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.

39. Overall it is considered that the surrounding highway network can accommodate the uplift in traffic associated with the delivery of eight dwellings and that the residual cumulative impacts on the road network would not be severe. It is also noted that LCC Highways have no objection to the proposed development subject to the imposition of conditions.

Drainage

40. The application site does not fall within Flood Zone 2 or 3 and the Environment Agency raise no objection. It is recognised that Water Street is susceptible to surface water flooding, however, it must also be considered that the application site is hard surfaced and is not permeable in any event. Furthermore Lancashire Lead Local Flood Authority raise no objection subject to a condition requiring details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme in order to ensure that the proposed development can be adequately drained, and to ensure that there is no flood risk on or off the site resulting from the proposed development. These details would need to be provided and would be assessed and verified by the LLFA prior to any commencement of development.

Ecology

41. The application is accompanied by a Preliminary Ecological Appraisal and a bat survey that have been assessed by the Council's appointed ecologists at Greater Manchester Ecology Unit. The surveys found the site to contain some features which have the potential to support bats, namely the retaining wall in the western/central part of the site and a sycamore tree (T8). GMEU advise that a further inspection of the wall is undertaken prior to works on the wall and T8 (which is identified for retention), in accordance with the method statement submitted as part of the application. This could be conditioned accordingly.
42. The proposal would involve the clearance of tress and scrub from the site, which may be used by nesting birds. As all wild birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended) any clearance should take place outside of the main bird breeding season and this would be conditioned accordingly.
43. The Preliminary Ecological Appraisal found two invasive species on site: Cotoneaster and montbretia. GMEU therefore advises that the recommendations in the appraisal for the eradication of these species is followed. Again, this could be conditioned.
44. A number of biodiversity mitigation measures are set out in the Preliminary Appraisal and GMEU advise that these should be conditioned. A number of measures relate to general management of the site which would be hard to control by way of condition. Nonetheless, some measures, such as securing provision of bird boxes across the site would be acceptable to mitigate the loss of vegetation and trees to accommodate the proposed development.

Public open space (POS)

45. Policy HS4 of the Chorley Local 2012 - 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
46. In the determination of planning applications, the effect of the national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy.

47. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
48. There is currently a deficit of provision in Chorley North East in relation to provision for children/young people. A contribution towards new provision in the ward is therefore required from this development. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified.

Coal Mining

49. During the course of the application a Coal Mining Risk Assessment was submitted due to the site being situated within a high-risk area and an initial objection from the Coal Authority. The submitted report has been reviewed and the Coal Authority advise that site investigation works are required given the risk and the presence of a mine entry on the site which poses a risk to surface stability and the development proposal. The investigation scheme could be secured by way of condition. The Coal Authority confirm that subject to the imposition of this condition, they withdraw their objection.
50. Having regard to the above, and the relevant condition, the proposal would accord with policy BNE7 (Unstable Land) of the Chorley Local Plan 2012 -2026.

Sustainability

51. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However the 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government’s intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent.”

“Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.”

52. As such, there is a requirement for the proposed dwellings to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Education provision

53. Lancashire County Council (LCC) as Education Authority seeks to draw the Council's attention to impacts associated with the above development and propose mitigation for these impacts through a developer contribution. Based upon the latest assessment, taking into account all approved applications, LCC are seeking a contribution for 8 primary school places and 3 secondary school places.

54. Calculated at the current rates, this would result in a claim of:

Primary places:

(£12,257 x 0.97) x BCIS All-in Tender Price (324 / 240) (Q1-2019/Q4-2008)

= £16,050.54 per place

£16,050.54 x 6 places = £96,303.24

Secondary places:

(£18,469 x 0.97) x BCIS All-in Tender Price (324 / 240) (Q1-2019/Q4-2008)

= £24,185.16 per place

£24,185.16 x 3 places = £72,555.48

55. The request for a contribution from LCC Education is noted, however, this response was provided in relation to the development of 10 dwellings. The proposal has since been revised down to 8 dwellings. In either case it must be considered that the National Planning Practice Guidance (NPPG) states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. A contribution to education provision cannot therefore be sought from this development. It is noted, however, that the development is CIL liable and that the Community Infrastructure Levy 123 list allows for contributions to education provision.

Other matters

56. *Concern about proposed development on Teck Street and issue with rights of access and land ownership:* Teck Street is not an identified street name on the Council's register, however, it is understood that this refers to the land to the east of 25 Water Street. A red edged location plan has been provided and the applicant has served notice on one party under certificate B. Land ownership and rights of access are not a planning consideration and are a civil matter to be resolved separately.

Community Infrastructure Levy

49. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

57. It is considered that the proposed development would have no detrimental impact character of the area and accords with the aims of policies within the Framework and the Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that the proposed development would not give rise to undue harm to the amenities of neighbouring residents or highway safety. Finally, the proposed development would preserve the character, appearance and setting of the St Lawrence's Conservation Area and is accordingly recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 5/1/01713 **Decision:** PERFPP **Decision Date:** 3 January 1962
Description: Erection of small factory for the manufacture of clothing and offices adjoining.

Ref: 76/00093/FUL **Decision:** PERFPP **Decision Date:** 26 April 1976
Description: Extension to Clothing Factory

Ref: 82/00541/FUL **Decision:** PERFPP **Decision Date:** 14 September 1982
Description: Change of use of industrial premises to Church

Ref: 07/00770/FUL **Decision:** PERFPP **Decision Date:** 5 September 2007
Description: Construction of new offices/resource centre.

Ref: 18/00946/FUL **Decision:** PERFPP **Decision Date:** 10 April 2019
Description: Construction of two storey office building and associated car park

RELEVANT POLICIES: In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

Suggested conditions

No.	Condition						
1.	<p>An application for approval of the reserved matters, namely the access, appearance, layout, scale and landscaping of the site, must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p><i>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>						
2.	<p>The development hereby permitted shall be carried out in accordance with the approved plans below:</p> <table border="1" data-bbox="336 1234 1321 1301"> <thead> <tr> <th data-bbox="336 1234 624 1263">Reference</th> <th data-bbox="624 1234 986 1263">Title</th> <th data-bbox="986 1234 1321 1263">Received</th> </tr> </thead> <tbody> <tr> <td data-bbox="336 1263 624 1292">19/064/L01</td> <td data-bbox="624 1263 986 1292">Location Plan</td> <td data-bbox="986 1263 1321 1292">20 September 2019</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Reference	Title	Received	19/064/L01	Location Plan	20 September 2019
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19/064/L01	Location Plan	20 September 2019					
3.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted or with any reserved matter application, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>						
4.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p>						

	<p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
5.	<p>Prior to the construction of the superstructure of any of the dwellings hereby permitted or with any reserved matter application details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority.</p> <p>Those details shall include, as a minimum:</p> <ul style="list-style-type: none"> a) Sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels. b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development greenfield runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change) with allowance for urban creep d) Plan identifying areas contributing to the drainage network e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, f) A plan to show overland flow routes and flood water exceedance routes and flood extents. g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates; h) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable <p>The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.</p> <p><i>Reasons:</i></p> <ul style="list-style-type: none"> 1. <i>To ensure that the proposed development can be adequately drained.</i> 2. <i>To ensure that there is no flood risk on or off the site resulting from the proposed development</i> 3. <i>To ensure that water quality is not detrimentally impacted by the development proposal</i> 4. <i>To reduce the flood risk to the development as a result of inadequate maintenance and to identify the responsible organisation/body/company/undertaker for the sustainable drainage system.</i>
6.	<p>As part of the first application for reserved matters or prior to the commencement of the development the following details shall be submitted to and approved in writing by the Local Planning Authority:</p> <ul style="list-style-type: none"> a) Details of the colour, form and texture of all external facing materials to the proposed dwelling b) Details of the colour, form and texture of all hard ground- surfacing materials. c) Location, design and materials of all fences, walls and other boundary

	<p>treatments.</p> <p>d) The finished floor level of the proposed dwelling and any detached garages</p> <p>The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.</p> <p><i>Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.</i></p>
7.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. These details shall include all existing trees and hedgerows on the land; detail any to be retained, 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, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should 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. The content of the plan should include elements to mitigate for loss of trees shrubs and bird nesting habitat.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</i></p>
8.	<p>Prior to the commencement of development a Traffic Management Plan (TMA) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMA shall include and specify the provisions to be made for the following:-</p> <ul style="list-style-type: none"> • The parking of vehicles of site operatives and visitors; • Loading and unloading of plant and materials used in the construction of the development; • Storage of such plant and materials; • Wheel washing facilities; • Periods when plant and materials trips should not be made to and from the site (mainly peak hours but the developer to identify times when trips of this nature should not be made) • Routes to be used by vehicles carrying plant and materials to and from the site; • Measures to ensure that construction and delivery vehicles do not impede access to adjoining properties. <p><i>Reasons: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.</i></p>
9.	<p>Prior to the construction/provision of any services, a strategy to facilitate super-fast broadband for future occupants of the site shall be submitted to and approved in</p>

	<p>writing by the Local Planning Authority. The strategy shall seek to ensure that upon occupation of a dwelling, either a landline or ducting to facilitate the provision of a super-fast broadband service to that dwelling from a site-wide network, is in place and provided as part of the initial highway works within the site boundary only.</p> <p><i>Reason: To ensure a sustainable form of development.</i></p>
10.	<p>Either as part of the first reserved matters application or prior to the commencement of the development a scheme for the construction of the driveways and the off-site works of highway improvement shall have been submitted to, and approved in writing by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.</p> <p><i>Reasons: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.</i></p>
11.	<p>The private car parking to be marked out in accordance with the approved plan, before occupation of the associated dwellings and permanently maintained thereafter.</p> <p><i>Reasons: To allow for the effective use of the parking areas.</i></p>
12.	<p>The development hereby permitted shall be carried out in accordance with the ecological report by United Environmental Services Ltd and dated 07 August 2018. This specifically includes inspections of the trees and the existing retaining wall and the recommendations for inspection and timeframes.</p> <p><i>Reason: To safeguard protected species, namely bats, and the potential features on site to support bats.</i></p>
13.	<p>No removal of or works to any trees, shrubs, brambles and ivy shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check on site of vegetation for active birds' nests immediately before the vegetation is cleared. and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation shall be submitted to the Local Planning Authority within 7 days of the ecologist's site check.</p> <p><i>Reason: In the interests of nature conservation as all wild birds, their nests and eggs are protected under the Wildlife and Countryside Act 1981 (as amended).</i></p>
14.	<p>Prior to the commencement of any earthworks, a method statement detailing measures for the eradication and/or control and/or avoidance of Cotoneaster and Montbretia shall be submitted to an approved in writing by the Local Planning Authority. The development and associated earthworks shall be carried out in accordance with the approved method statement.</p> <p><i>Reason: These invasive species are included within schedule 9 part 2 of the Wildlife & Countryside Act 1981 (as amended) and it is an offence to introduce or cause to grow wild any plant listed under this schedule.</i></p>
15.	<p>Existing trees to be retained, as detailed on drawing number 02 REV A Site Plan (as received by the Local Planning Authority on 04/12/2018) and the arboricultural survey, shall be protected throughout the course of the development, including site works, in accordance with BS5837:2012, unless other protection measures are submitted to and agreed in writing by the Local Planning Authority.</p>

	<p><i>Reason: To safeguard the health and wellbeing of retained trees which contribute to the visual amenity of the area / conservation area.</i></p>
16.	<p>Prior to the commencement of the development hereby permitted, excluding site clearance, a scheme shall be submitted to and approved in writing by the Local Planning Authority which includes:</p> <ul style="list-style-type: none"> - Details of intrusive site investigations carried out for the mine entry - A report of findings arising from the intrusive site investigations including any contamination - Details of remedial works for the mine entry, including a plan showing the exact location of this feature and its zone of influence/no build zone relative to the layout - Details of any other necessary mitigation measures <p>The development shall thereafter be carried out in accordance with the approved scheme.</p> <p><i>Reason: The condition is necessary as the application site is situated within a High-Risk Area and presence of a mine entry on the site poses a risk to surface stability and the development.</i></p>