

APPLICATION REPORT – 19/00132/FUL

Validation Date: 19 February 2019

Ward: Astley And Buckshaw

Type of Application: Full Planning

Proposal: Erection of 4no. detached dwellings and associated means of access

Location: Buckshaw Hall Knight Avenue Buckshaw Village Chorley PR7 7HW

Case Officer: Mike Halsall

Applicant: Mr Ashleigh Hinton, ARH Developments NW

Agent: Mr Michael Beech, BPD Architecture

Consultation expiry: 9 March 2020

Decision due by: 31 May 2020 (Extension of time requested)

RECOMMENDATION

1. It is recommended that the application is approved, subject to conditions and a S106 legal agreement to tie the profits from the sale of the proposed dwellings to the renovation of Buckshaw Hall.

SITE DESCRIPTION

2. The application site is located within the original curtilage of Buckshaw Hall, a grade II* listed manor house. The land surrounding the building and the application site has been developed into Buckshaw Village. The site is surrounded by dwellings to the north, east and south and Buckshaw Hall itself located to the west, along with a converted barn. Site access is gained from Knight Avenue to the east. Planning permission and listed building consent has been granted in recent years for the conversion of the barn within the grounds of Buckshaw Hall to a dwelling and changes to Buckshaw Hall itself so it can be brought back into use as a dwelling.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. Buckshaw Hall was built in the 17th Century. In 1936 the government established ROF Chorley, an ammunition factory complex which encompassed Buckshaw Hall. At that time, the poor quality of the restoration to the Hall was evident and the structure and fabric of the Hall were deteriorating. Initially the Hall was used as office accommodation, but after the war the building was abandoned and marked for demolition. In view of its forthcoming fate, the building was recorded in 1954 by the Ministry of Works. However, the expected demolition was never carried out, and the building was listed in 1975. Its condition continued to deteriorate.
4. The application seeks planning permission for the erection of four detached dwellings which the applicant would sell to fund the renovations to Buckshaw Hall to make it suitable for modern living as a dwelling. The Council would not normally approve dwellings in such close proximity to a listed building but sometimes this is necessary to secure the future of historic assets. This is known as 'enabling development'.

5. The development has been amended twice since its original submission for various reasons, most notably to re-orientate the proposed dwellings to limit impacts upon Buckshaw Hall.

REPRESENTATIONS

6. Representations were received from two individuals about the originally submitted proposal citing the following grounds of objection (summarised):
 - Loss of light and outlook
 - Land stability from construction work / damage to existing dwellings
 - Not in keeping with the street nor heritage site
 - Overlooking into back gardens
 - Not in keeping with existing dwellings
 - Increase in traffic
 - Restoring Buckshaw Hall should be the priority, not new houses
 - Three storey dwellings
7. One representation was received which neither objected nor supported the proposal but raised the following queries (summarised):
 - how will the works to Buckshaw Hall be tied to the profits from the proposed development?
 - how will any further development within the grounds of Buckshaw Hall be controlled?
 - will conditions be imposed to protect residential amenity during construction – working hours, delivery times, wheel wash etc.
8. Following the amendments to the planning drawings, neighbours were re-notified about the revised proposal and further representations were received from the three individuals identified above and three other additional individuals citing the following additional grounds of object (where different to the above comments):
 - Devaluing existing dwellings
 - Difficulty selling neighbouring property due to state of the land
9. The profits from the sale of the proposed dwellings would be tied to the works to Buckshaw Hall via a S106 legal agreement. This would likely mean the hall would have to be renovated first before works could commence on the dwellings.
10. Any further substantial development within the grounds of Buckshaw Hall would be subject to a further planning application and would be determined on its merits at that time.
11. It would be possible to restrict the permitted development rights of the proposed dwellings by planning condition to limit further impacts upon Buckshaw Hall, if considered necessary. Similarly, conditions can be imposed in relation to safeguarding amenity during construction in the form of a condition requiring the submission of a construction management plan for the agreement of the local planning authority.
12. All other objections and comments listed above that are material planning considerations are addressed within the following sections of this report.

CONSULTATIONS

13. Lancashire County Council Highway Services (LCC Highways): Do not have any objection to the proposal and are of the opinion that the proposed development will not have a significant impact on highway safety, in the immediate vicinity of the site. LCC Highways have requested planning conditions to be attached to any grant of planning permission.
14. Historic England: Have confirmed that they have no comments.
15. Environment Agency: No comments have been received.

16. Greater Manchester Ecology Unit: Have raised no objection to the proposed development but have requested a planning condition be attached to secure biodiversity enhancement measures.
17. Waste & Contaminated Land Officer: Have suggested a condition requiring the submission of a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.
18. United Utilities: Have responded raising no objection to the proposed drainage strategy and have suggested a condition to be attached to any grant of planning permission.

PLANNING CONSIDERATIONS

Principle of the development

19. The acceptability of the principle of erecting dwellings in this location is mainly subject to the applicant being able to demonstrate that the profits made from the sale of the dwellings are required to secure the renovations to Buckshaw Hall.
20. The building has been vacant for over 50 years and since some structural repairs, overseen by conservation architects Donald Insall Associates, were completed the building has changed hands on a number of occasions. On each occasion, until purchased by the current owner, the building work has proved to be uneconomic to complete. It is effectively no more than a shell with two surviving original staircases, which are in quite poor condition, and a limited amount of interior fabric – a large cast iron range – being the only major survival. The costs of fitting out this grade II* listed building using appropriate materials and techniques, including the fabrication of all window frames and all other interior fittings – floors, wall finishes, ceiling finishes, plumbing, heating and electrics appear to have been prohibitive. The result has been that the building has once again begun to deteriorate.
21. The applicant's surveyor has submitted a financial breakdown of the costs and profits of erecting the four dwellings and restoring Buckshaw Hall. This is considered sufficiently robust to demonstrate that the dwellings are required to secure the future of the heritage asset. The proposed development is, therefore, considered to be acceptable in principle, subject to the other considerations identified below.

Impact on a designated heritage asset

22. Paragraph 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 (the PLBCA) are relevant to the '*Special considerations affecting planning functions*'.

Section 66 states:

- (1) *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
 - (2) *Without prejudice to section 72, in the exercise of the powers of appropriation, disposal and development (including redevelopment) conferred by the provision of sections 232, 233 and 235(1) of the principal Act, a local authority shall have regard to the desirability of preserving features of special architectural or historic interest, and in particular, listed buildings.*
23. Section 16 of the National Planning Policy Framework (the Framework) refers to conserving and enhancing the historic environment. The following paragraphs contained therein are considered to be pertinent in this case:

189. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made

by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

190. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

192. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
- c) the desirability of new development making a positive contribution to local character and distinctiveness.*

193. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

194. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

- a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;*
- b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.*

195. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- a) the nature of the heritage asset prevents all reasonable uses of the site; and*
- b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and*
- c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and*
- d) the harm or loss is outweighed by the benefit of bringing the site back into use.*

196. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

200. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

24. The Central Lancashire Core Strategy (2012) (the Core Strategy), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to:

'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:

- a. *Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*

25. Policy BNE8 of The Chorley Local Plan 2012 – 2026, refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*

26. It is considered that the proposed development would cause less than substantial harm to the significance of Buckshaw Hall by introducing new dwellings of a modern design within relatively close proximity, impacting upon its setting. This harm, when weighed against the public benefits of the proposal in securing the future of the building in residential use, is considered acceptable. The proposed development is, therefore, considered to be compliant with the above referenced policies.

Impact on character and appearance of locality

27. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and policy BNE1 of the Chorley Local Plan 2012 - 2026. It is considered that the design of the proposed dwellings is appropriate to the character of the area and they would assimilate well with other dwellings on Buckshaw Village.

28. In light of the above, the proposed development is, therefore, considered to comply with policy 17 of the Central Lancashire Core Strategy and policy BNE1 of the Chorley Local Plan 2012 – 2026. This, in turn, demonstrates compliance with policy HS7 of the Local Plan.

Impact on neighbour amenity

29. 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.
30. In order to safeguard residential amenity, it is considered necessary to apply a planning condition to require that all windows to side elevations are obscurely glazed. The only exclusions to this being the north westerly facing elevation of Plot 4 and the south westerly elevation of Plot 2 as these face the front driveway of Buckshaw Hall.
31. No.16 Knight Avenue includes a side window at first floor level positioned towards the front of the dwelling. This window serves a bedroom and the proposed development would introduce a two storey gable wall 3m to the west of the window. However, this window is not the principal window serving this room since there is another much larger window that fronts Knight Avenue. On balance, therefore, it is considered that the resultant relationship would not have such a significant adverse impact on the level of residential amenity currently enjoyed by the occupiers of this property that would warrant refusal of the application. The proposed development is, therefore, considered to be acceptable in terms of residential amenity and complies with policy BNE1 of the Chorley Local Plan 2012 - 2026 in this regard.

Highway safety

32. Adequate off-road parking spaces are proposed to serve the proposed dwellings (3 spaces) which would each have 5no. bedrooms. Therefore, the proposed development complies with the Council's parking standards set out at policy ST4 of the Chorley Local Plan 2012 - 2026. As noted above, LCC Highways have no objection to the scheme and consequently the proposal is considered acceptable in terms of access and highway safety.

Sustainability

33. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1st January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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."

34. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

Public open space (POS)

35. Policy HS4 of the Chorley Local Plan 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.
36. 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.
37. 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.
38. A public open space commuted sum is not requested for this scheme. Whilst Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population of public open space for children/ young people. There is currently a surplus of provision in Astley Village and

Buckshaw in relation to this standard, a contribution towards new provision in the ward is, therefore, not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study.

Community Infrastructure Levy

39. 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

40. The proposed development is considered to represent enabling development that is required to secure the renovation and longevity of a grade II* star listed building, Buckshaw Hall.
41. It is acknowledged that there would be less than substantial harm to the significance of Buckshaw Hall by introducing new dwellings of a modern design within relatively close proximity, impacting upon its setting. However, this harm, when weighed against the public benefits of the proposal in securing the future of the building in residential use, is considered acceptable.
42. It is also considered that the proposed development would not cause any significant harm to the character of the area, the amenity of neighbouring residents or highway safety.
43. Consequently it is considered, therefore, that the development accords with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the Framework, Core Strategy policy 16 and the Chorley Local Plan 2012 - 2026.
44. It is recommended, therefore, that the application is approved, subject to conditions and a S106 legal agreement to tie the profits from the sale of the proposed dwellings to the renovation of Buckshaw Hall.

RELEVANT HISTORY OF THE SITE

Ref: 03/00871/LBC **Decision:** PERLBC **Decision Date:** 31 October 2003
Description: Application for Listed Building Consent to repair the shell of the building to make watertight, including removal of porch structure

Ref: 03/01200/FUL **Decision:** PERFPP **Decision Date:** 15 December 2003
Description: External alterations, including repairs to make weatherproof and removal of porch structure

Ref: 06/00449/FUL **Decision:** PERFPP **Decision Date:** 8 January 2007
Description: Change of use to domestic dwelling and alterations to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping

Ref: 06/00450/LBC **Decision:** PERLBC **Decision Date:** 5 January 2007
Description: Listed Building Consent for change of use to domestic dwelling and alterations (including demolition of one chimney) to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping

Ref: 09/00082/DIS **Decision:** PEDISZ **Decision Date:** 10 February 2009
Description: Discharge of condition 13 of Listed Building Consent ref. 06/00450/LBC

Ref: 09/00190/FUL **Decision:** REFFPP **Decision Date:** 14 May 2009
Description: Creation of a vehicular access onto Central Avenue to serve Buckshaw Hall

Ref: 11/00969/TPO **Decision:** PERTRE **Decision Date:** 5 March 2012
Description: Pruning of 6 trees covered by TPO 4 (Buckshaw) 2006

Ref: 12/00787/REMAJ **Decision:** PERFPF **Decision Date:** 1 November 2012
Description: Proposed residential development comprising 82 dwellings and associated works

Ref: 15/00776/FUL **Decision:** PERFPF **Decision Date:** 29 September 2015
Description: Part retrospective application for alterations to barn to create ancillary residential accommodation and erection of a detached garage including landscaping works

Ref: 15/00777/LBC **Decision:** PERLBC **Decision Date:** 1 October 2015
Description: Listed Building Consent (part retrospective) for alterations to barn to create ancillary residential accommodation

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

1. 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.

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Proposed Site Layout	884/BHB/SLP Rev H	6 February 2020
Drainage Layout	ARH-BH-C-10.01 Rev A	6 February 2020
Proposed House Design Plot 1	884/BHB/HT1 Rev A	6 February 2020
Proposed House Design Plot 2	884/BHB/HT2 Rev C	6 February 2020
Proposed House Design Plot 3	884/BHB/HT3 Rev A	6 February 2020
Proposed House Design Plot 4	884/BHB/HT4	6 February 2020

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to the commencement of any above ground construction, samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. Prior to the commencement of above ground works, full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

5. Before the commencement of above ground works, full details of the alignment, height and appearance of all fences and walls and gates to be erected (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 dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.

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.

7. Notwithstanding Schedule 2 Part 1 Class A, B and E and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof no extensions or alterations to the dwellings, outbuildings (including sheds, garages, and greenhouses), walls and fences, or any other works permitted by the aforementioned classes shall be constructed or erected other than those expressly authorised by this permission.

Reason: The impact of the dwellings upon the listed building, Buckshaw Hall, has been carefully considered. These classes of permitted development have been removed so that any subsequent extensions under these classes can be controlled to ensure they are acceptable in terms of their impact upon the heritage asset.

8. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours of operation (including deliveries) during construction
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction
- viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

Reason: in the interests of highway safety and to protect the amenities of the nearby residents.

9. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

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.

10. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.

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. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.

11. A manoeuvring scheme to be approved by the Local Planning Authority to enable emergency and refuse vehicles to exit and enter the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning area shall be laid out and be available for use before any development commences and be maintained thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.

12. A private car park and manoeuvring scheme is to be submitted and approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan, before the use of the premises hereby permitted becomes operative and permanently maintained thereafter.

Reason: To allow for the effective use of the parking areas.

13. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any subsequent Orders or statutory provision re-enacting the provisions of the Order, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: To allow for the effective use of the parking areas.

14. A scheme for Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

Reason: For maintenance and enhancement of biodiversity.

15. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All 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.

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.

16. All windows in the side elevations (other than the north westerly facing elevation of Plot 4 and the south westerly elevation of Plot 2) shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

Reason: In the interests of the privacy of occupiers of neighbouring property.