

APPLICATION REPORT – 19/01113/OUTMAJ

Validation Date: 25 November 2019

Ward: Chorley North East

Type of Application: Outline Major Planning (with ES)

Proposal: Outline application for the construction of up to 233 dwellings with all matters reserved, save for access (resubmission of approved application ref. 17/00714/OUTMAJ).

Location: Land To The West Side Of Blackburn Road Chorley

Case Officer: Mike Halsall

Applicant: FI Real Estate Management

Agent: Lichfields

Consultation expiry: 1 January 2020

Decision due by: 30 September 2020 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that this application is approved subject to conditions and a section 106 agreement requiring an education contribution of £846,480.60.

SITE DESCRIPTION

2. The application site is located within the settlement area of Chorley and forms part of a wider site allocated for a mixed use of housing and employment use in the Chorley Local Plan 2012 – 2026.
3. The application site comprises 7.05ha of land which lies to the north east of J8 of the M61. It is bounded by the A674 Millennium Way to the north and by the Leeds and Liverpool Canal to the west. Agricultural land lies both to the north and south of the site.
4. The application site comprises undeveloped grazing land which is bisected by two drainage ditches running from east to west close to the centre of the site, which drain into the Leeds and Liverpool Canal.
5. The site slopes gently up from the Leeds and Liverpool Canal towards the east, where it rises steeply on the eastern side of the site towards the Blackburn Road.
6. There is currently no vehicular access to the site, which is proposed to be formed via a priority junction with the A674 Millennium Way.
7. Outline planning permission was granted (ref: 17/00714/OUTMAJ) in October 2019 for 188 houses on this site. Outline planning permission was also granted in 2019 in respect of land to the south and south west of the application site as follows:
 - Ref. 17/00713/OUTMAJ for employment floorspace;
 - Ref. 17/00715/OUTMAJ for retail floorspace (Use Classes A1, A3, A4 & A5), employment floorspace (Use Class B1), hotel (Use Class C1), creche/nursery (Use

Class D1) and provision of associated car parking, highways, landscaping, and infrastructure; and

- Ref. 17/00716/OUTMAJ for 100 houses.

DESCRIPTION OF PROPOSED DEVELOPMENT

8. The application is submitted in outline for access only with all other matters reserved for future approval.
9. The application proposes the erection of up to 233 houses. The application is accompanied by a land use and building heights parameters plan. There would be a minimum 10m wide landscape buffer strip along the western boundary of the site to the canal and the eastern boundary to Blackburn Road.
10. Illustrative masterplan and cross-sectional drawings have also been submitted alongside the application submission, which provides an example of how the site could be delivered. These show 233 dwellings located in estate roads either side off a central spine road which runs to a junction to the south of the site. The central spine road would provide access to the adjacent site which was approved under outline planning permission ref. 17/00714/OUTMAJ. The proposed dwellings are shown as being situated substantially lower than the existing dwellings on Blackburn Road.
11. Access to the site would be facilitated by a new priority junction on to the A674 Millennium Way to the north of the site.
12. The principal difference between this proposal and that approved under outline planning permission ref. 17/00714/OUTMAJ is that an additional 45 dwellings are proposed and there is less landscaping/open space proposed to facilitate this increase in proposed built development.

ENVIRONMENTAL IMPACT ASSESSMENT

13. The previous outline planning application relating to this site (ref. 17/00714/OUTMAJ) was supported by an Environmental Statement [ES] (dated July 2017) which considered the environmental effects of the proposal in the context of a range of technical topics. In addition to application ref. 17/00714/OUTMAJ, the ES also considered proposals for three other developments within the immediate vicinity, assessing the cumulative impacts of the combined proposals.
14. The following technical topics were assessed within the ES:
 - Socio-Economics;
 - Landscape and Visual;
 - Ecology and Nature Conservation;
 - Archaeology and Heritage;
 - Ground Conditions;
 - Drainage and Flood Risk;
 - Transport and Access;
 - Air Quality and Dust;
 - Noise and Vibration; and,
 - Cumulative Effects.
15. A subsequent ES Addendum was submitted in February 2018 which addressed changes to the parameter plans and included a revised Transport Assessment.
16. The applicant has submitted an Environmental Statement Compliance Statement in support of this revised proposal which demonstrates that the proposal remains within the scope of the assessment undertaken in the approved ES and that the revised proposal does not give rise to a requirement to undertake a new Environmental Impact Assessment [EIA].

REPRESENTATIONS

17. Representations have been received from 31 individuals, including the Blackburn Road and Great Knowley Residents Association, raising objections to the proposal on the following grounds:

- Landscape impacts
- Traffic congestion and road safety
- Loss of greenfield site
- Flood risk
- Pressure in local amenities / infrastructure – school, doctors, hospitals, dentists etc.
- Loss of amenity during construction
- Loss of wildlife area
- Harm to wildlife
- Already sufficient level of housing in Chorley
- Impact upon tourism
- Density of housing is too high
- Sustainability of site location away from local services with poor public transport links

18. Councillors Adrian and Marion Lowe have objected as follows:

- The proposed increase from up to 188 to up to 233 is unacceptable. Such an increase cannot be warranted. It's an over intensification of the site.
- Traffic impact - the proposed development will add to a network that cannot cope at present and none of the proposed mitigation measures will solve the problems around the Hartwood roundabout and millennium way.
- Lack of infrastructure - when there are issues over primary and secondary school provision such a development will add to such problems. It will add to problems with health providers.
- Loss of amenity space - the green space to the site will be heavily diminished.
- Chorley does not need the housing numbers. We have given permission for too many houses to be built.
- If permission is granted then conditions should be imposed so that work on the local road network should be completed before the houses are built.
- Access should not be from Blackburn Road.
- We consider the increased numbers are just a facilitator to pay for the retail development.

19. There seems to be some confusion in relation to where the site access would be located as a number of representations mention this being from Blackburn Road. For clarification, there would only be one site access and this would be facilitated by a new priority junction on to the A674 Millennium Way to the north of the site.

CONSULTATIONS

20. United Utilities: Have raised no objections to the proposal and have suggested conditions be attached to any grant of planning permission in relation to surface water management and foul drainage.

21. Canal & River Trust: Have responded to identify that the following key issues can be dealt with via planning conditions and a section 106 legal agreement:

- a) Impact on the character and appearance of the waterway corridor.
- b) Existing Knowley footbridge canal crossing
- c) Potential contamination of the canal
- d) Surface water drainage
- e) Impact on the biodiversity of the waterway corridor.

22. A financial contribution is requested towards the improvement of the Knowley footbridge to ensure it can cope with the expected increase in footfall and also improvements to the tow path. This is discussed further later in this report.
23. Conditions have also been suggested to be attached to any grant of planning permission to protect the integrity of the canal and to ensure it is not polluted during construction work. Informatives for the applicant have also been suggested to be attached to any grant of planning permission.
24. Blackburn With Darwen Council: No comments have been received.
25. Environment Agency: Have responded with no comments as the proposal does not fall within one of the listed development types upon which the EA provide consultation responses.
26. Greater Manchester Ecology Unit (GMEU): Have advised that additional surveys be undertaken in support of any future reserved matters application for the site with regards to otters, water voles, badgers, trees with potential to support bat roosts, invasive plant species and habitats. A long-term Landscape and Habitat Management Plan is requested along with specific details that this should include, such as a landscape buffer be retained between the Canal and any built development in the interests of providing an attractive landscape and to allow species movement. A Green Infrastructure Plan is also requested at Reserved Matters stage to include details of habitat retention and any new habitat provision. The above could be secured by suitably worded planning conditions, along with those suggested to protect nesting and eradicate invasive species.
27. Lead Local Flood Authority: Have responded with no objection and have recommended a condition be attached to any grant of planning permission relating to sustainable drainage and informatives for the applicant.
28. Lancashire County Council Archaeology Service: Have responded to suggest the same conditions be attached as for the previous scheme in relation to a programme of investigation and recording work in the area surrounding the demolished structures associated with the old canal mill.
29. Bolton Council: No comments have been received.
30. The Coal Authority: Have responded to state that if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.
31. Lancashire County Council Highway Services (LCC Highways): Have responded raising no objection to the proposal subject to the same suggested conditions and mitigation, section 106, section 278 and triggers as agreed as part of the previous planning proposal for this site. For the avoidance of doubt, LCC highways' consultation response to the previous proposal is as follows:

'Lancashire County Council takes its responsibility seriously with respect to the current and future use of the highway network whilst also giving a high priority to supporting economic growth, the creation of jobs and access to employment, education and training.

Highway officers of the County Council have worked closely with Highways England their consultants and the developer, I can confirm that the modelling in general indicated that with the 2022 with mitigation, including network management measures, the network of junctions would operate as well as or better than 2022 'Do Minimum no development scenario'. This assumes that all obligations/measures and that all agreements with respect to all highway improvement and related works are progressed and delivered to the satisfaction of the Local Highway Authority (LHA).

A fundamental element to satisfactorily deliver this development is the provision and implementation of all infrastructure. Should the developer fail to provide any element of that required the LHA cannot support this application.

The conclusion reached requires all highway or transport related triggers and planning conditions to be agreed with the county council. It is critical that some infrastructure is delivered prior to development and others are provided in advance of them being needed'.

These requirements are set-out within the recommended planning conditions at the end of this report.

32. Regulatory Services - Environmental Health: Have responded to state that they have no further comments to those made in relation to the previous proposal on this site. These were as follows:

'In respect of the construction phase, the proposed mitigation measures detailed in supporting document 'Chapter 15 Noise and Mitigation' should be implemented. In addition I would recommend that consideration is given to the addition of a condition requiring the applicant to adhere to the information contained within the Chorley Council document 'Code of Practice for Construction and Demolition' which gives information on working hours, noise, plant and equipment and dust control.

In respect of the constructed dwellings, there are concerns regarding the daytime noise levels for any properties located in the red areas on Drawing No. 6356487/2 'Noise Propagation Modelling' Dated 28.06.17. Any properties constructed in these areas close to the A674, B6228 and M61 could be subject to high noise levels in outdoor spaces and amenities and the concerns surround how this will be addressed for such properties.

The night time noise risk assessment Drawing No. 6356487/5 'Noise Propagation Modelling' Dated 28.06.17 depicts the entire proposed sites for dwellings as 'medium risk' As such further information is required in the form of an acoustic report on what the predicted internal noise levels of the properties will be to determine how the occupants may be affected and what mitigation measures might address this.

Therefore, I agree with the Noise Consultant that a thorough and robust Acoustic Design Statement is required to demonstrate how any adverse impacts of noise will be addressed and minimised to avoid any significant adverse noise impact on the finished developments'.

The above would be required in support of any future Reserved Matters planning application.

33. Lancashire County Council Public Rights Of Way: Have responded to request that Public Right of Way 9-2-FP26, which crosses the site from the eastern boundary at Blackburn Road, is improved by widening to 3m and resurfaced to accommodate shared use. Taking the scale of the proposed development into account they would like to request £77k of section 106 monies to improve Public Rights of Way 9-2-FP45, 9-2-FP42 and 9-2-FP15 (Public Right of Way 9-2-FP45 already suffers from erosion and provides a vital link to Healy Nab which is an established popular network). However, no contribution was required from the applicant as part of the previous planning permission for this site and so it would seem unreasonable to seek it now, given that there has been no relevant changes in local planning policy in the interim period.
34. Preston City Council: No comments have been received.
35. Wigan Council: No comments have been received.
36. Historic England: Have responded to state that the Council does not need to notify or consult Historic England on this application under the relevant statutory provisions.

37. Natural England: Have responded with no objection and state that they consider the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.
38. Highways England: Responded to the consultation on the previous application at this site raising no objection and recommended conditions. It is considered appropriate to attach the same conditions to any grant of planning permission for this revised proposal.
39. Lancashire County Council Schools Planning Team: Have responded to identify the projected level of school places in the area and as a result have requested a financial contribution of £846,480.60 to fund an additional 35 secondary school places as part of this scheme. This could be secured by a section 106 legal agreement.

PLANNING CONSIDERATIONS

Principle of development

40. The principle of housing being acceptable on this site has been established by the grant of outline planning permission ref: 17/00714/OUTMAJ in October 2019 for 188 houses. The assessment of the acceptability of this planning application should, therefore, focus upon any change in material planning considerations between the approved scheme and the current proposal, i.e. an additional 45 dwellings on the site.
41. Policy HS1.8 of the Chorley Local Plan 2012-2026 allocates 9.6ha of land at 'Botany Bay / Great Knowley' for housing with an identified 200 dwellings. The indicative phasing schedule, identified at Appendix B of the Local Plan, identifies 100 dwellings coming forward within the period 2016-21 and 100 dwellings coming forward within the period 2021-26 (in line with policy HS2 on phasing).
42. Policy EP2 of the Chorley Local Plan 2012-2026 complements this in relation to the 'Botany Bay/Great Knowley Area – sub regional employment and mixed use site'.
43. The housing allocation reference HS1.8 identifies that the overall allocation (including the land to the south) could deliver 200 units. However, the development of the Botany Bay Masterplan has identified that approximately 250 units could be delivered across the broader allocation within the Local Plan.
44. It should be noted that the housing allocation numbers detailed in policy HS1 are indicative and the housing requirement is a minimum to ensure enough housing is provided through the Local Plan.
45. The site area of this application and the approved application for housing on land to the south under outline planning permission ref: 17/00716/OUTMAJ is 11.96 hectares which is greater than the amount of land allocated for housing in the Local Plan (9.6 hectares). There would, therefore, be insufficient land left for the employment allocation.
46. It is considered that in this case, as was the case with the previously approved applications, the greater level of housing cannot fail to comply with the Development Plan given that there is no express limitation upon the number of dwellings as allocated in the site-specific policy and within the wider plan (as is the case with all Development Plan) housing figures are not to function as ceilings.
47. This proposal would not further reduce the land available for employment purposes than the previously approved development, i.e. the proposal would still realise more than 80% of the target hectareage of employment land. The revised housing proposal is, therefore, in compliance with the Development Plan.

Affordable housing

48. The Central Lancashire Core Strategy Policy 7 states that subject to such site and development considerations as financial viability and contributions to community services, market housing schemes should achieve a target of 30% on developments of 15 or more dwellings. This would equate to a requirement for 70 affordable dwellings on site in accordance with the Affordable Housing SPD, 70% of these should be social rent and 30% should be shared ownership.
49. This is reiterated by the associated Affordable Housing Supplementary Planning Document, that states that where a developer or landowner considers that there are constraints of significance, sufficient to jeopardise or prevent them from meeting the Councils' affordable housing policy targets, this will need to be demonstrated by the submission of a suitable financial appraisal.
50. Given that the application is submitted in outline, the provision of affordable housing will need to be secured through the imposition of a condition with the final details agreed at reserved matters stage and the viability of doing so considered at that time with regard to site constraints and abnormal costs associated with developing the site.

Public open space

51. In accordance with policies HS4A and HS4B of the Chorley Local Plan 2012-2026, the council's Open Space and Playing Pitch SPD and the Planning Pitch Strategy, the provision of the public open space would be required.
52. The illustrative layout of the site has been designed to include areas of open space. The development would not only provide for new open space on site but would also provide improvements to the existing pedestrian and cycling linkages and open up the canal to existing and future residents. As such the development would enhance accessibility to/ from the site and the wider area.
53. Consequently, given that the application is submitted in outline, the provision of public open space will need to be secured through the imposition of a condition with the final details agreed at reserved matters stage and the viability of doing so considered at that time with regard to site constraints and abnormal costs associated with developing the site.

Education

54. Paragraph 94 of the National Planning Policy Framework (the Framework) states that The Government attaches great importance to ensuring that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement and to development that will widen choice in education. This includes expanding or altering schools and as such seeking contributions to facilitate this where adequate capacity in existing schools does not exist.
55. LCC Education comment that the latest projections for the local primary schools show there to be no shortfall 5 years' time, even with the expected yield of 89 places from the development and so no contribution is requested in this regard.
56. In relation to secondary schools there is an expected yield of 35 places from the development the shortfall of 303 places would increase to 338.
57. Lancashire County Council's request for a commuted sum (£846,480.60) towards the provision of school places is noted.
58. The Council operates a CIL Charging schedule which was implemented on 1st September 2013. Previously, a Regulation 123 list allowed the charging authority to set out a list of projects or types of infrastructure that the levy was intended to fund. The purpose of the list

was to ensure clarity on what CIL might be spent on and to prevent duplication ('double dipping') between CIL and S106 agreements in funding the same infrastructure projects.

59. At the time the previous application on this site was approved, education was listed in the Council's Regulation 123 list and, therefore, education infrastructure fell under the remit of CIL. Accordingly, such applications were not subject to separate planning obligations to secure education contributions, regardless of whether or not they are windfall sites or exceed housing allocations.
60. The above situation has recently changed as a result of the Community Infrastructure Levy (Amendment) (England) (No. 2) Regulations 2019 which removed the requirement for a Regulation 123 list. Education contributions are now to be sought via S106 agreements and so this will be the case in this instance.

Design and layout

61. The application is made in outline with all matters reserved except for access, which is proposed from the A674 to the north of the application site.
62. The application is accompanied by a Land Use and Building Heights Parameters Plan which defines the parameters which would frame any future reserved matters application, together with an illustrative masterplan and site sections plan.
63. Similar to the approved scheme, the submitted indicative information shows a mix of house types to include detached, semi-detached, mews style and apartments. The layout indicates that a number of existing trees would be retained and a buffer strip maintained to the canal.
64. The parameters plan identifies a maximum building height of 12.5m above proposed ground levels (3 storeys). A net density of approximately 33 dwellings per hectare across the whole of the site could be achieved, with higher densities indicated to be focused amongst the proposed apartments near the site access point, with lower densities elsewhere.
65. The indicative layout plan shows that it would create new green / amenity spaces including the buffer strip to the canal and additional pedestrian routes.
66. In terms of road hierarchy there would be one main road/boulevard through the site with a number of narrower estate roads and cul-de-sacs branching off. An apartment block is shown close to the entrance of the site to create an entrance feature.
67. The existing field boundary which forms the southern boundary of the site divides it from the site area for planning permission ref. 17/00716/OUTMAJ. A landscaped area along this boundary including the retention of mature trees is shown on the indicative layout.
68. The majority of houses shown on the indicative layout are semi-detached with a small number of detached houses and one block of apartments. The application site is sufficiently remote from other residential development to essentially form its own character area, however, given that in the wider area there are a range of house types it is considered that a layout and design could be achieved at reserved matters stage which is appropriate to the character of the area.
69. In terms of impact on existing properties, the nearest properties are those to the east of the site fronting Blackburn Road which are in excess of 40m away from the nearest property on the submitted indicative layout. Given the significant change in levels between the application site and Blackburn Road it is considered unlikely that the proposal would result in material detriment to the amenities of the occupiers of neighbouring properties in terms of overlooking, loss of light etc.

70. As such it is, therefore, considered that the application site could accommodate the proposed scale of development with an acceptable design solution in terms of layout, appearance, landscaping and scale, as part of any future reserved matters application.

Landscape

71. A Landscape and Visual Assessment has been submitted as part of the application submission and forms Chapter 8 of the Environmental Statement. The application site lies within the Lancashire Valleys National Character Area 35 and at a local level is located partly within the Samlesbury Withnell Fold Landscape Character Area and partly within the West Pennine Foothills Landscape Character Area.
72. The site lies north east of the built-up area of Chorley, east of the M61 Junction 8, west of Great Knowley and south of the A674. The site is bounded to the west by the Leeds and Liverpool Canal in a north – south direction with the Botany Bay retail development and M61 lying beyond this further to the west.
73. Open fields lie beyond the site to the north and to the south, where outline planning permission has been granted for residential development. The Canal Mill building together with the Preston England Temple, which lies beyond the site to the west are distinctive local landmarks. It is important, however, to note that neither of these buildings are nationally or locally designated.
74. The assessment concludes that the effects during the construction phase would be of minor significance and of a temporary nature. In relation to the completed development, the assessment concludes that the effects would be minor and limited to the site and its immediate setting. The application site sits at a lower level than the A674 which, taken together with the existing vegetation, would afford some screening of the site.
75. The design approach would retain mature vegetation to the boundaries of the site and internally, where possible, therefore allowing the existing green infrastructure to be maintained and preserving the existing screening for views into the site. As illustrated on the Parameters Plan, a buffer along the eastern edge of the Leeds and Liverpool Canal is proposed to secure an area for soft landscaping thus leading to an improved visual amenity and open character as well as providing opportunity for enhanced connectivity. Replacement planting of trees along the A674 around the proposed access point would be carried out.
76. As set out above, the provision of the proposed landscaped buffer strip along the western boundary of the site provides scope for the planting of trees and vegetation which would over time serve to afford screening of the development.
77. It is recognised that the development of the site would introduce a clear change in the landscape character of the site, however the acceptability of the principle of development on this site is established by its allocation within the development plan and as such, any form of development would result in an impact in this regard and the resultant visual impact of the development is justified by the contribution the site would make to housing.
78. It is, however, considered that the application proposal has been designed to facilitate the mitigation of the visual impact of the development through future landscaping and planting and to ensure that any visual impact is thus kept to a minimum. Keeping the upper sloping parts of the site free from development would also help to minimise the visual impact.
79. The level of significance of effects identified would be minor and would be limited to the site and its immediate setting, with features of local merit remaining intact including the Leeds and Liverpool Canal and Canal Mill.
80. No mitigation measures are required to mitigate the effects of the proposed development on the landscape of the site or the surrounding area. Replacement planting of trees along the

A674 around the proposed access point would be carried out, together with the provision of a landscaped buffer to the western side.

81. Subject to further consideration at reserved matters stage, the proposal is considered to accord with policy 21 – Landscape Character Areas of the Central Lancashire Core Strategy 2012.

Density

82. Policy 5 of the adopted Core Strategy covers housing density and requires developments to be in keeping with an area, but also make an efficient use of land. The proposal is equivalent of 33 dwellings per hectare across the whole of the site, which considering the site constraints, is considered to be an efficient use of land.
83. Given the proposed layout in the context of the immediate surrounding area, it is considered that the proposal would be in keeping in terms of density with the modern housing estates close to the site and the proposal is, therefore, acceptable in this respect.

Levels

84. There are level differences across the site, with it rising significantly to the eastern side up towards the Blackburn Road. The detailed layout and relationship between proposed houses would, therefore, require detailed consideration at reserved matters stage in relation to the Council's interface distances. However, there is no reason to consider that the development of the site could not be achieved as anticipated and this is supported by the submitted indicative site sections drawing.

Highway safety

85. Access is proposed from the A674 traffic island via a new priority junction to the north of the site.
86. Although each application must be considered on its merits the cumulative impact of the current proposal and the associated proposals need to be considered
87. Paragraph 111 of the Framework states that all developments that generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment.
88. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
89. A full Transport Assessment has been submitted within the ES which has been prepared in accordance with the Institute of Environmental Assessment (IEA) (1993), Guidelines for the Environmental Assessment of Road Traffic. The increase of 45 dwellings falls within the remit of the original ES submitted in support of the approved proposal on this site.
90. The impact on the local highway network of this revised proposal has been considered by the Local Highway Authority and their statutory comments are summarised within this report.
91. Subject to conditions to secure the necessary mitigation measures the proposal is considered to conform to Central Lancashire Core Strategy 2012 policy 2 – Infrastructure and policy 3 – Travel, and with policies ST1 - Provision or Improvement of Footpaths, Cycleways, Bridleways and their Associated Facilities in Existing Networks and New Development; ST3 - Development Access, and ST4- Parking Standards of the Chorley Local Plan 2012 – 2026.
92. The Canal and River Trust (C&RT) have commented that the proposed development is opposite the Knowley footbridge over the canal which C&RT state is currently maintained to

the standard required to support the small amount of pedestrian traffic that currently uses it. C&RT further state that the existing footbridge has limited capacity and would potentially see a significant increase in usage (pedestrian/cycle etc.) due to the proposed developments across the masterplan areas.

93. The applicant has, therefore, commissioned a bridge survey report which concludes that the existing bridge is already in a poor state of repair. The report demonstrates that there is a requirement for the bridge to be repaired now, and as such this is something that the C&RT should be undertaking regardless of the current applications. It is not, therefore, considered reasonable to seek a contribution towards the costs of these works.
94. The C&RT also request a contribution towards the upgrading of the canal tow path. A number of strategic cycle paths were identified by the Lancashire County Council Cycling Officer during the preparation of the Chorley Local Plan. A list of cycle schemes is included in policy ST1 of the Chorley Local Plan 2012 – 2026 and are identified on the Policies Map. Cycle route ST1.3, which is the canal towpath from Botany to Blackburn is one such scheme. The scheme is listed in Table 1 of Chorley Council's Interim Infrastructure Funding Statement 2019/20 as an infrastructure project that can receive CIL funding. Further, no contribution was required from the applicant as part of the previous planning permission for this site and so it would seem unreasonable to change this position, given that there has been no relevant changes in local planning policy in the interim period.
95. The C&RT also comment regarding a new bridge which is indicated to the south east of the masterplan. This, however, lies outside of the site area for the current application and does not form part of the proposal.

Air quality

96. Whilst the site is not located within or in the vicinity of an Air Quality Management Area (AQMA), Chapter 14 of the ES assesses the air quality and dust impacts of the development proposal and concludes that the application scheme would not have an adverse impact with regards to air quality and dust.
97. Whilst construction works have the potential to produce dust and other fine particles which may cause air quality nuisance, the application of appropriate measures (secured through a Construction and Environmental Management Plan) reduces the potential effects to negligible and as such the proposal would comply with policy 30 of the Central Lancashire Core Strategy 2012 – Air Quality.

Noise

98. The noise and vibration impacts that could arise as a result of the proposed development have been assessed as part of the application submission. The assessment evaluated the potential noise impacts during the construction phase and following the completion of development during the operational phase. The assessment noted that the general sound climate around the site comprises mainly of traffic noise associated with the M61. The assessment concludes that whilst construction works have the potential to impact sensitive receptors in close proximity to the site, the application of appropriate measures (secured through a Construction and Environmental Management Plan) would serve to mitigate the potential effects, which themselves would be both temporary and limited.
99. In respect of the constructed dwellings, there are concerns regarding the daytime noise levels for any properties located in the red areas on Drawing No. 6356487/2 'Noise Propagation Modelling' Dated 28.06.17. Any properties constructed in these areas close to the A674, B6228 and M61 could be subject to high noise levels in outdoor spaces and amenities and the concerns surround how this will be addressed for such properties.
100. The night time noise risk assessment Drawing No. 6356487/5 'Noise Propagation Modelling' dated 28.06.17, depicts the proposed sites in their entirety for dwellings as 'medium risk'. As such, further information is required in the form of an acoustic report on

what the predicted internal noise levels of the properties will be. This is to determine how the occupants may be affected and what mitigation measures might address this.

101. The level of noise across the site has been measured, modelled and assessed in line with current guidance detailed within the ES. On the basis of this assessment it is considered that:

- suitable internal sound levels, in line with the guidance of BS8233:2014, can be achieved in all properties with the specification of suitable glazing and ventilation
- suitable external sound levels during daytime periods can be achieved in most, if not all, garden spaces depending on the site layout and design. The achievement of the lowest practicable sound levels, with regard for the guidance of BS8233:2014 for sites benefitting from access to the strategic transport network, can be assessed during detailed design stage.

102. It is considered that the applicant has demonstrated that the site can be developed in the manner envisaged whilst achieving an adequate level of amenity for the occupants of the proposed dwellings. This matter and the final detailed design can be considered further at reserved matters stage and can be secured by condition.

Ecology

103. Core Strategy policy 22 on Biodiversity and Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area, through a series of measures including promoting the conservation and enhancement of biological diversity and seeking opportunities to conserve, enhance and expand ecological networks.

104. Policies BNE9 and BNE11 of the Chorley Local Plan 2012 – 2026 contain a number of requirements to protect and safeguard all designated sites, ecological networks and individual species as well as to provide net gains in biodiversity, where possible, and ensuring that any adverse impacts are avoided, or if unavoidable, are reduced or appropriately mitigated and/or compensated. These policies are underpinned by the Biodiversity and Nature Conservation SPD July 2015.

105. The site is dominated by semi-improved grassland pasture. There are also extensive areas of marshy grassland and 'flushes'. There is developing wet woodland in low-lying areas close to the Canal. In localised places, the grassland is species-rich, tending towards unimproved, particularly in the northern part of the site and close to the eastern boundary on the steeper slopes.

106. An Extended Phase 1 Habitat Survey has been submitted as part of the application submission and forms Chapter 9 of the Environmental Statement. This was complemented with a range of further surveys to assess the presence of potential species in more detail, comprising a breeding bird survey, an amphibian survey, and an otter and water vole surveys.

107. The application site falls within the SSSI Impact Risk Zone for the West Pennine Moors SSSI, which is located approximately 2.8km to the east. However, the development does not fall into any of the risk categories for the SSSI and as such it is not considered that the proposed development will have any impact on the SSSI.

108. In relation to bats, the Leeds and Liverpool Canal corridor to the west of the application site and scattered trees and scrub provide suitable foraging and commuting habitat for bats, although no bat roosts were found on site.

109. There is a small footbridge (Knowley Bridge) over the Leeds and Liverpool canal to the south west of the site. The bridge has stone abutments which are in poor condition and have crevices which may be utilised by roosting bats.

110. The results of the emergence, activity and static surveys indicate no roost presence and relatively low level use of the site by foraging and commuting bats during the survey period.
111. The breeding bird survey found some opportunities within the site boundary for ground nesting birds, and that scrub, trees and plantation woodland around the site margins offer potential for nesting habitat for tree nesting birds. The majority of the tree and woodland habitats around the site margins lie outside the developable area and the final layout of the development can ensure that these areas are retained and enhanced.
112. The otter and water vole survey and the amphibian survey found no evidence of protected species.
113. The submission documents have been reviewed by Greater Manchester Ecology Unit who raise no objection to the proposed development, subject to conditions relating to additional surveys being undertaken in support of any future reserved matters application for the site with regards to otters, water voles, badgers, trees with potential to support bat roosts, invasive plant species and habitats.
114. A long-term Landscape and Habitat Management Plan is recommended along with specific details that this should include, such as a landscape buffer be retained between the Canal and any built development in the interests of providing an attractive landscape and to allow species movement. A Green Infrastructure Plan is also requested at Reserved Matters stage to include details of habitat retention and any new habitat provision.

Trees

115. A Preliminary Arboricultural Appraisal (PAA) has been submitted as part of the application package. Any future application for reserved matters consent will need to be accompanied by an Arboricultural Impact Assessment and Arboricultural Method Statement to assess the impact of the development once the detailed site layout is confirmed.
116. Future landscape improvements would aim to create a net gain in tree cover and biodiversity across the site by planting a variety of different tree species.
117. The proposal is, therefore, considered acceptable in relation to trees, subject to a condition securing tree protection measures during construction and complies with the requirements of policy BNE10 – Trees of the Chorley Local Plan 2012 – 2026.

Land contamination

118. The application site has remained largely undeveloped with the exception of a sand and gravel pit being extended across the northern extremity onto the residential site from the adjacent field.
119. On the basis of the human health conceptual model included in the Phase 1 Geo-Environmental Reports accompanying the application, the potential for contaminative sources is deemed low risk due to the lack of potential contaminative sources and / or pathways following development.
120. The assessment concludes that the site poses a low risk to human health and also to controlled waters.
121. The Council's Contaminated Land Officer has assessed the submitted information and has no objections, subject to standard conditions regarding the methodology for further site investigation and assessment, details of assessment and remediation proposals and production of a validation report.
122. Subject to conditions, the proposal is considered to accord with guidance contained within paragraphs 178 and 180 of the Framework and policy BNE7 of the Chorley Local Plan 2012 - 2026.

Flood risk and drainage

123. A Flood Risk and Surface Water Drainage Assessment has been submitted as part of the application submission. The site lies entirely within Flood Risk Zone 1 (low risk). There are no records of the site flooding from surface water or sewers or as a result of a canal breach.
124. There are a number of existing sewers within the site including a 450mm diameter surface water sewer from Blackburn Road crossing the site to discharge into the canal; a 300mm diameter surface water sewer from Blackburn Road crossing the site to discharge into the canal; and a 225mm diameter foul sewer flowing north to south in the southern half of the site. There is also evidence of numerous land drains in place across the site.
125. It is proposed to discharge post development surface water runoff to the northern part of the site to the Leeds and Liverpool Canal via the existing 300mm and 450mm diameter surface water outfalls on the site. It is proposed to discharge the flows to the southern part of the site to the ditch on the southern boundary. Overall, post development discharge rates would be restricted to greenfield run-off rates. The proposed surface water discharge would be attenuated on site due to the reduction in flow rates up to the 1 in 100 plus 30% climate change event.
126. This has been reviewed by Lancashire County Council as Lead Local Flood Authority (LLFA), who highlight that there is an open watercourse that traverses the site from east to west which would need to be culverted and the applicant's drainage plan should ensure that no structures are constructed within 8 metres of the top of the banks of the watercourse or over a culverted watercourse. Additionally the LLFA comments that it is critical the basins are constructed and operational prior to any construction phase. This would ensure that site drainage during the construction process does not enter the watercourses at un-attenuated rates causing un-necessary flood risk.
127. The LLFA raises no objection to the proposed development, subject to conditions. The proposed development is, therefore, considered to be acceptable in terms of flood risk and drainage.

Heritage

128. A Heritage Desk-Based Assessment has been submitted as part of the application package.
129. The site does not contain any designated heritage assets but there are a number of listed buildings within 1km of the site. Glimpsed views of the site would be visible from two heritage assets, Moss Land Farmhouse (Grade II*) and The Rough (Grade II), although vegetation, modern built development, trees and topography of the landscape will largely screen views of the proposed development.
130. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, "special regard" will be given to the "desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses".
131. In terms of the test within the Framework, paragraph 193 states that 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. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. In the case of this proposal, the development has the potential to impact upon the setting of the heritage asset but would not lead to its loss and as such the development would lead to less than substantial harm.
132. Paragraph 196 of the Framework goes on to state that where a development proposal would 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 securing its optimum viable use.

133. Similar provision is made in the Central Lancashire Core Strategy 2012 policy 16 (a), Heritage Assets and Chorley Local Plan 2012 – 2026 policy BNE8 – Protection and Enhancement of Heritage Assets which both require development to safeguard heritage assets from inappropriate development that would cause harm to their significance.
134. The significance of Moss Lane Farmhouse lies in its architectural and historic interest as a 17th century farmhouse with some 18th century additions. The farmyard and associated barn form the principal setting of the farmhouse, with the agricultural fields which surround the farmhouse forming part of its wider setting. Beyond the fields lie the M61 to the west and built development to the east. Whilst the development would be visible from glimpsed views, it is considered that the vegetation, trees, topography of the landscape, and the existing buildings which lie between the farmhouse and the application site along Moss Lane, would largely serve to screen views of the proposed development. As such it is considered that there would be a minor/negligible impact on the wider setting of the listed building, but that the significance of the building and its principal setting would be unaffected. In relation to the degree of harm caused to the heritage asset it is considered that the small amount of negligible harm that would result is easily offset by the economic and social benefits that would be derived from the proposed development.
135. The significance of The Rough lies in its architectural and historic interest as an early 19th century house. The core setting of the house is the courtyard which primarily comprises modern outbuildings, tarmac access roads and areas of car parking. An agricultural field lies beyond the house to the north, grass fields are situated to the east and modern development is located to the south and west; they comprise the wider setting for the house. The Rough would be visible through glimpsed views to the south east from the site, although modern built development, vegetation, trees and topography of the landscape would largely screen views. Most of its wider setting would be unaffected by the proposed development. Therefore, a negligible effect is considered on the contribution that the wider setting provides to the significance of the building, in limited views to and from it which would be offset by the wider benefits likely to be derived from the development.
136. The Heritage Desk-Based Assessment identifies that the site has low/nil potential for evidence from the prehistoric, Romano-British, early medieval, medieval and post-medieval/modern periods and as such concludes that no additional archaeological works are necessary associated with the development of this site.
137. The submission documents have been reviewed by Lancashire Archaeological Advisory Service who have confirmed that they concur with the conclusions of the assessment and that no further archaeological work is required.
138. Canal Mill is a non-designated asset which lies beyond the western boundary of the site but which is of local archaeological and historic interest. As highlighted by the Canal and Rivers Trust the Leeds and Liverpool canal, which runs adjacent to the western boundary of the site, can also be considered to be a non – designated heritage asset in its own right, however there are no historic canal bridges or locks nearby, which where they are found elsewhere on this stretch of waterway are grade II listed - for example Moss Lane Bridge no. 80 which is 480 metres north of the site.
139. Paragraph 197 of the Framework advises that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
140. Whilst the setting of Canal Mill and the canal will be affected as part of the development proposal, which would inevitably have an urbanising effect, this harm must be balanced against benefits of the proposal and it is considered that the limited harm which would occur

would easily be outweighed by the social and economic benefits of delivering additional housing.

141. In consideration of the above, it is considered that the proposed development is acceptable as it would preserve the appearance of the nearby listed buildings and thus also sustain the significance of these designated heritage assets. The negligible harm to the setting of nearby heritage assets is justified by the economic and social benefits of the development. Accordingly it is considered that the proposed development is in conformity with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, the National Planning Policy Framework, policy 16 of the Central Lancashire Core Strategy 2012 and policy BNE8 of the Chorley Local Plan 2012 – 2026 with respect to heritage impacts.

Impact on neighbour amenity

142. The nearest residential properties to the proposed development lie to the east of the site fronting the Blackburn Road and are in excess of 40m away from the nearest property on the submitted indicative layout.
143. Given the significant change in levels between the application site and Blackburn Road it is considered unlikely that the proposal would result in material detriment to the amenities of the occupiers of neighbouring properties in terms of overlooking, loss of light etc.
144. The noise and vibration impacts that could arise as a result of the proposed development have been assessed as part of the application submission. The assessment evaluated the potential noise impacts during the construction phase and following the completion of development during the operational phase. The assessment noted that the general sound climate around the site comprises mainly of traffic noise associated with the M61. The assessment concludes that whilst construction works have the potential to impact sensitive receptors in close proximity to the site, the application of appropriate measures (secured through a Construction and Environmental Management Plan) would serve to mitigate the potential effects, which would be both temporary and limited.

Minerals and coal mining

145. The application site is underlain by various types of superficial deposits, with underlying sand and gravel deposits, including Lower Haslingden Flags Sandstone bedrock, which are regarded as a Mineral Resource.
146. Policy M2 of the Lancashire Minerals and Waste Site Allocation and Development Management Policies Local Plan applies. The policy states that planning permission will not be supported if a development is incompatible by reason of “scale, proximity and performance” with mineral safeguarding.
147. The application is supported by a Minerals Assessment, which together with Chapter 11 of the Environmental Statement, present a review of available evidence of the presence of any viable mineral deposits beneath the application sites and any potential for their prior extraction. Once appropriate buffer zones are applied to the M61, the Leeds-Liverpool canal and existing housing developments, the prior extraction of minerals from beneath the application sites would not be economically viable. This would be compounded by the likely low quality of the resource encountered.
148. Given that the site has been allocated for development as part of the policy EP2 EP1.1 / HS1.8 site, the presence of the mineral resource would have taken into account at the time of allocation and the value of the land in planning terms is thus considered more valuable to deliver housing than to deliver a marginal and difficult to process mineral resource.
149. Consequently, given the above constraints, it is considered that there is an overarching need for the development that outweighs the need to avoid the sterilisation of the mineral resource.

150. The site lies within a Coal Authority Mining report area however a Coal Mining Report obtained for a previous Environmental Desk Based Study for a site to the west of the Leeds and Liverpool Canal, within a similar geological setting, indicates that the site is not within a likely zone of influence of past or present underground workings. Due to the faulting in the area, the solid geology beneath the site is downthrown relative to the solid geology containing coal at shallow depths. Consequently, the coal is anticipated to be at a deeper level, and thus, it is considered unlikely that coal would have been mined.
151. The applicant has submitted a Desk Study & Ground Investigation Report in relation to the application site and the neighbouring site, proposed under application 17/00716/OUTMAJ and this has been reviewed by The Coal Authority.
152. The Coal Authority considers that the content and conclusions of the Desk Study & Ground Investigation Report are sufficient for the purposes of the planning system and meets the requirements of the Framework in demonstrating that the application site is, or can be made, safe and stable for the proposed development. The Coal Authority therefore has no objection to the proposed development. However, further more detailed considerations of ground conditions and/or foundation design may be required as part of any subsequent Building Regulations application.
153. The Coal Authority therefore does not require any conditions be applied in relation to this application.

Sustainability

154. 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. However, the 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removed the 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.”

155. Given this change, instead of meeting the Code Level the dwellings should achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations rate in accordance with the above provisions. An Energy Report has been submitted with the application which shows a 19.92% reduction in energy requirements over the 2013 Building Regulations rate can be achieved on the site. This can be controlled by a condition.

Employment skills

156. The Central Lancashire Employment Skills Supplementary Planning Document adopted in September 2017 identifies a number of key sites being bought forward including the application site at Botany Bay/Great Knowley. This site constitutes part of a highly accessible 20 hectare site situated adjacent to junction 8 of the M61, which is allocated as a site for sub regionally significant development including B1, B2 and B8 but also retail, housing and leisure.
157. The employment skills SPD introduces Employment Skills Statements and provides clarity as to how this requirement relates to the relevant policies set out in the Core Strategy and Local Plan as well as the guidance set out in the Framework. The SPD goes on to state that one of Central Lancashire's priorities is to encourage economic growth within Central Lancashire that benefits the people and businesses in the three boroughs and the SPD seeks to increase employment opportunities by helping local businesses to improve, grow and take on more staff help businesses to find suitable staff and suppliers, especially local ones improve the skills of local people to enable them to take advantage of the resulting employment opportunities help businesses already located in Central Lancashire to grow and attract new businesses into the area.
158. The SPD requires development over certain thresholds to be accompanied by an Employment and Skills Statement. This is to ensure the right skills and employment opportunities are provided at the right time. This is to benefit both the developer and local population and covers the following areas:
- Creation of apprenticeships/new entrants/graduates/traineeships
 - Recruitment through Job Hub and Jobcentre plus and other local employment vehicles.
 - Work trials and interview guarantees
 - Vocational training (NVQ)
 - Work experience (14-16 years, 16-19 years and 19+ years) (5 working days minimum)
 - Links with schools, colleges and university
 - Use of local suppliers
 - Supervisor Training
 - Management and Leadership Training
 - In house training schemes
 - Construction Skills Certification Scheme (CSCS) Cards
 - Support with transport, childcare and work equipment
 - Community based projects
159. Section 7 of the ES assesses the potential socio economic impacts of the development including the potential effects of the proposed development arising through construction, eg the temporary construction employment associated with the proposed development of new housing.
160. The applicant anticipates that the proposed development would provide a range of construction jobs, estimated to be approximately 135 temporary construction jobs per annum over the 3 year build period.
161. The measures indicated in the Employment Skills Statement can be secured via a planning condition.

Community Infrastructure Levy (CIL)

162. CIL Liability is not calculated at outline application stage. However, this development will be CIL Liable on approval of the final reserved matters application (if approved). Based upon this outline application information, this development will be subject to the CIL Charge for 'Dwelling Houses' as listed in Chorley Council's CIL Charging Schedule.

CONCLUSION

163. The proposal represents a resubmission of approved application ref. 17/00714/OUTMAJ, seeking to increase the number of proposed dwellings by 45.
164. Section 38(6) of the Planning & Compulsory Purchase Act 2004, requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. Para 11 of the Framework includes a similar provision whereby Local Planning Authorities should approve development which accords with the development plan without delay.
165. Policy HS1.8 allocates 9.6ha of land at 'Botany Bay / Great Knowley' for housing with an identified 200 dwellings. However, the development of the Botany Bay Masterplan has identified that approximately 250 units could be delivered across the broader allocation within the Local Plan. It should be noted that the housing allocation numbers detailed in policy HS1 are indicative and the housing requirement is a minimum to ensure enough housing is provided through the Local Plan.
166. Policy EP2 complements this in relation to the 'Botany Bay/Great Knowley Area – sub regional employment and mixed use site'.
167. It is considered that the proposal is in compliance with the Development Plan.
168. The submitted Environmental Statement demonstrates that the proposals would not have significantly detrimental environmental effects and those negative impacts which do occur are easily outweighed by the benefits which arise from the development.
169. It is recommended that the application is approved subject to conditions and a section 106 legal agreement to secure an education contribution of £846,480.60.

RELEVANT HISTORY OF THE SITE

Ref: 17/00355/SCOPE **Decision:** SCOPE **Decision Date:** 12 May 2017
Description: Scoping Opinion for the Environmental Statement, pursuant to Regulation 13 of the Town And Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015), associated with the proposed retail, employment, leisure and residential development at land to West of Blackburn Road, Chorley.

Ref: 17/00714/OUTMAJ **Decision:** PEROPP **Decision Date:** 21 October 2019
Description: Outline planning application for the construction of up to 188 dwellings (Use Class C3) with associated highways, landscaping and infrastructure provisions and any ancillary development thereto. All matters reserved except for access.

Ref: 17/00715/OUTMAJ **Decision:** PEROPP **Decision Date:** 21 October 2019
Description: Outline planning application for retail floorspace (Use Classes A1, A3, A4 & A5), hotel (Use class C1), crèche/ nursery (use Class D1) and provision of associated car parking highways, landscaping and infrastructure and any ancillary development thereto, with all matters reserved except for access which is proposed off the existing A674 roundabout. Full planning permission for demolition (as applied for) of on- site structures and the change of use of the retained building (Use Classes A1, A3, B1, C1, D1).

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 Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission.

Reason: To define the permission and in the interests of the proper development of the site.

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

Title	Plan Ref	Received On
Location Plan	FI001LP01	25 November 2019
Land use and building heights parameters plan	FI001PP01	25 November 2019
Access Arrangement	TPMA1498-100	25 November 2019

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

3. An application for approval of the reserved matters, namely the layout, scale, appearance and landscaping of the development, must be made to the Local Planning Authority 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.

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.

4. An application for approval of the reserved matters shall include details to demonstrate how the development will provide vehicular and pedestrian connections through to adjacent land to the south.

Reason: To ensure a comprehensive development of the area and satisfactory links to improve the accessibility of the site.

5. Prior to the commencement of development a scheme for the phasing of the development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be implemented wholly in accordance with the submitted and approved phasing plan unless otherwise agreed in writing with the Local Planning Authority.

Reason: To secure the proper development of the site in an orderly manner.

6. Prior to the commencement of each phase full details of the existing and proposed ground levels and proposed dwelling finished floor levels (all relative to ground levels adjoining the site) of all buildings in that phase shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such details shown on previously submitted plans(s). The development shall be carried out strictly in conformity with the approved details.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.

7. Each reserved matters application shall include full details of the alignment, height and appearance of all fences, walls and gates to be erected on the site (notwithstanding any such details shown on previously approved plans). No dwelling shall be occupied until all fences, walls and gates shown on the approved details to bound its plot have been erected in conformity with the approved details. Other fences shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development or each phase.

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

8. Each Reserved Matters shall include a scheme for the provision of affordable housing as part of the development for approval in writing by the local planning authority. The affordable housing shall be provided in accordance with the approved scheme and shall meet the definition of affordable housing in the National Planning Policy Framework or any future guidance that replaces it. The scheme shall include:

1. the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 30% of housing units provided that the development is sufficiently viable to support this. If a viability appraisal demonstrates a lesser level of provision is required to ensure a viable development, then a reduced percentage may be agreed;
2. the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
3. the arrangements for the transfer of the affordable housing to an affordable housing provider[or the management of the affordable housing] (if no RSL involved);
4. the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
5. the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

Reason: To ensure the residential development provides appropriate affordable housing.

9. As part of any reserved matters application a Scheme for the provision of public open space in accordance with the principles of Policies HS4A and HS4B of the Adopted Chorley Local Plan 2012-2026 shall be submitted to and approved in writing by the Local Planning Authority. The dwelling(s) hereby approved shall not be occupied until the approved Scheme has been implemented.

Reason: The provision of off-site public open space is a requirement of the Development Plan and therefore a scheme or mechanism to deliver the requirements of the development plan are essential to make the development acceptable. A suitable scheme has not been submitted as part of the application and is needed prior to the commencement of the development to ensure a suitable scheme can be agreed.

10. No phase of development shall take place, until a Construction Management Plan for that phase 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:

1. vehicle routing and the parking of vehicles of site operatives and visitors;
2. hours of operation (including deliveries) during construction;
3. loading and unloading of plant and materials;
4. storage of plant and materials used in constructing the development;
5. siting of cabins, site compounds and material storage area
6. the erection of security hoarding where appropriate;
7. wheel washing facilities that shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. Coordinating with the highway authority under adverse weather conditions (rain, snow or icy).
8. measures to mechanically sweep the roads adjacent to the site as required during the full construction period.
9. measures to control the emission of dust and dirt during construction;
10. a scheme for recycling/disposing of waste resulting from demolition and construction works;
11. Measures to protect all watercourses within and adjacent to the site during the construction phase and to prevent building materials or surface water run-off entering the watercourses.

Reason: In the interests of highway safety at all times of year, to protect the amenities of the nearby residents and to ensure that existing watercourses are protected during the construction phase.

11. Either as part of any reserved matters application, or prior to the commencement of development, details of the final drainage scheme design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme shall be submitted to and approved in writing by the local planning authority.

Those details shall include:

- a) Final sustainable drainage layout plan appropriately labelled to include:
 - Pipe/structure references
 - Dimensions,
 - Design levels,
 - Finished Floor Levels (FFL) in AOD with adjacent ground levels to confirm minimum 150mm plus difference for FFL.
- b) The drainage scheme should demonstrate that the surface water run-off and volume shall not exceed the pre-development runoff rate. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. Site 1 - brownfield site - submitted FRA (Chapter 12: Drainage and Flood Risk) states surface water will be attenuated to 80 percent of existing brownfield rates. However, the CIRIA SuDS Manual 2015 (Section 24.5) states that unless a simulation model can be produced from an accurate record of the existing drainage then greenfield runoff rates will need to be applied to the site.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 plus climate change (pre and post development), volume of attenuation required (post development)) with allowance for urban creep, to include summary of permeable/impermeable areas of site used within calculations.
- 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.
- i) Construction phase surface water management plan to include how surface water and pollution prevention will be managed during each phase of construction.
- j) Construction and Operation of Ponds/Attenuation Basins must be prior to each phase as applicable.

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.

Reason:

1. *To ensure that the final drainage designs are appropriate following detailed design investigation.*
2. *To ensure that the proposed development can be adequately drained.*
3. *To ensure that there is no flood risk on or off the site resulting from the proposed development*
4. *To reduce the flood risk to the development as a result of inadequate maintenance*
5. *To identify the responsible organisation/body/company/undertaker for the sustainable drainage system*
6. *To ensure that the construction phase(s) of development does not pose an undue flood risk on site or elsewhere;*
7. *To ensure that any pollution arising from the development as a result of the construction works does not adversely impact on existing or proposed ecological or geomorphic condition of water bodies.*

12. Before or concurrent with the submission of each of the reserved matters applications for the site, an updated foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The following foul water drainage details shall be agreed with the local planning authority in liaison with United Utilities:

- a. a minimum number of foul pumping stations, demonstrating an understanding for a wider strategy and the natural flow paths, identifying low lying areas for the most sustainable drainage solution;
- b. the point of connection to the public sewer for foul water, the storage requirements and rate of discharge for the pumped foul discharge; and
- c. details of any temporary arrangements during the construction of the development.

There shall be no connection to the public sewer other than in accordance with the agreement reached with the local planning authority. Foul and surface water shall be drained on separate systems.

Prior to any occupation of the relevant reserved matters development, the development shall be implemented in accordance with the approved drainage details and retained thereafter for the lifetime of the development.

Reason: To secure proper drainage and in order to manage the risk of flooding and pollution from the public sewerage system, it is necessary to agree the specific details of the approach to the foul water drainage. This shall include agreeing the location of the point of connection for foul water to the existing public sewer and the arrangements for pumping.

13. No phase of development hereby permitted shall be built above slab level until a scheme for the installation of oil and fuel interceptors to all external hardstanding areas used for vehicle parking, manoeuvring, loading or unloading has first been submitted to and agreed in writing by the local planning authority for that phase. The agreed details shall be carried out in full prior to that phase of development being first brought into use.

Reason: In the interests of minimising the risk of contaminated surface water run-off from the development adversely affecting water quality in the Leeds & Liverpool canal.

14. No works should take place within 15m of the edge of the canal without details having first been submitted to and agreed in writing by the Local Planning Authority, to demonstrate that additional loads from the permanent or any temporary works, plant and machinery or storage of materials would not harm the structural integrity of the canal. The details shall also include mitigation measures to prevent any risk of pollution or harm to the adjacent Leeds & Liverpool Canal or its users, both during demolition/construction and on completion of the development. The details shall include the steps to be taken to prevent the discharge of silt-laden run-off, materials or dust or any accidental spillages entering the canal. The development shall be carried out in strict accordance with the agreed details.

Reason: Due to the site topography and proximity of the development to the canal and to safeguard the structural integrity of the canal.

15. Due to the scale of development and the proposed sensitive end-use (housing with gardens), no development shall take place until:

- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;

- c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: It is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use.

16. Prior to any site clearance or soil stripping an Arboricultural Method Statement shall be submitted to and agreed in writing with the Local Planning Authority. This shall include details for the protection of all trees to be retained and details how construction works will be carried out within any Root Protection Areas of retained trees. The development shall only be carried out in accordance with the approved Arboricultural Method Statement. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the Root Protection Areas.

Reason: To safeguard the trees to be retained.

17. Any application for approval of reserved matters for any plot(s) or building(s) shall detail how the proposed landscaping scheme will serve to mitigate the visual impact of the proposed development in accordance with the recommendations of the submitted Landscape and Visual Assessment. For the avoidance of doubt, this shall include details of the following:

- provision of a landscaped buffer to either side of the Public Right of Way 9-2-FP 26 which runs through the application site;
- screen planting along the site's northern boundary;
- additional planting along the site's western boundary to the Leeds Liverpool Canal.

Reason: To mitigate the visual impact of the proposed development on the surrounding landscape.

18. Vegetation clearance should not be undertaken in the main bird breeding season (March to August inclusive), unless a competent ecologist has undertaken a careful, detailed check 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 should be submitted to the Local Planning Authority prior to the commencement of any vegetation clearance.

Reason: To protect breeding bird species utilising the site.

19. Prior to the installation of the lighting, an external lighting scheme shall be submitted to and approved in writing by the Local Planning Authority for that phase. This shall identify habitats/features on the site that are potentially sensitive to external lighting (most notably habitats / features that support bat foraging and commuting) and show how and where the external lighting will be installed (through appropriate lighting contour plans) in order to demonstrate that any impact on wildlife is negligible. Direct lighting of the Canal should be avoided in the interests of nocturnal wildlife (particularly bats). The development shall be carried out in accordance with the approved scheme and retained as such thereafter.

Reason: To protect species which utilise the habitats within and around the site.

20. Prior to the commencement of any works on site (including vegetation clearance) a methodology for the control of invasive species on the site shall be submitted to and approved in

writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: To ensure the control of invasive species.

21. Any application for approval of reserved matters should be supported by updated surveys for the following:

- Otters and Water Voles
- Badgers
- Trees with identified potential to support bat roosts
- Invasive plant species
- Habitats

The surveys should be undertaken by suitably qualified people and to appropriate standards.

Reason: To protect species which utilise the habitats within and around the site.

22. Either as part of any reserved matters submission or prior to the commencement of development, a long-term Landscape and Habitat Management Plan and Green Infrastructure Plan shall be submitted to and approved by the Local Planning Authority to include the retention of a landscape buffer between the Canal and any built development in the interests of providing an attractive landscape and to allow species movement. The plan should include details of habitat retention and any new habitat provision.

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.

23. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any dwellings on each phase or the completion of the development within the relevant Phase, whichever is the earlier, 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.

24. 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 reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.

25. Prior to the commencement of any phase of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling within that phase 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.

26. 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.

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.

27. Prior to the construction/provision of any services, detailed plans to facilitate full fibre superfast Broadband for future occupants of the site shall be submitted to and approved in writing by the Local Planning Authority. The plans shall seek to ensure that upon occupation of individual retail unit/dwelling, industry standard ducting to facilitate the provision of full fibre superfast broadband service for a site-wide network is in place provided as part of the initial highway works within the site boundary.

Reason: To ensure a sustainable form of development and in the interests of visual amenity.

28. Prior to the first occupation of any phase of the development hereby permitted, a Full Travel Plan for that phase shall be submitted to, and approved in writing by, the Local Planning Authority. The Travel Plan to include objectives, targets, measures to achieve targets, monitoring, and implementation timescales and continue with the provision of a travel plan co-ordinator. The approved plan(s) will be audited and updated at intervals as approved and the approved plan(s) be carried out. All elements of the Full Travel Plan shall continue to be implemented at all times thereafter for a minimum of 5 years after completion of the development.

Reason: To ensure that the development provides sustainable transport options.

29. Full details of the provision of electric charging points to serve a particular phase of the development shall be submitted to and approved by the Local Planning Authority and the charging points installed and operational before the occupation of the residential unit within that phase. The submitted details shall also include details of conduit to be installed at the time of construction to allow the installation of further charging points in the future. The parking bay shall be appropriately marked to ensure sole use by electric vehicles and adequate charging infrastructure with associated cabling provided for the designated parking bay. The charging point shall be located so that a 3m cable will readily reach the vehicle to be charged when parked in the designated parking bay. The charging points shall be retained and maintained thereafter.

Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.

30. No part of the development hereby approved shall be commenced until a phasing strategy for the delivery and completion of the individual traffic mitigation measures identified below has been agreed in writing with the Local Planning Authority, in consultation with the relevant Highway Authority:

- a) M61 Junction 8;
- b) A6 / A674 Hartwood junction;
- c) A6/Euxton Lane signalised roundabout (hospital roundabout)
- d) A674 Blackburn Rd / B6228 Blackburn Rd Signal Controlled Junction and B6229 Corridor
- e) A674 Blackburn Road / B6229 Moss Lane priority junction
- f) A674 Blackburn Road / Proposed Residential site access priority junction
- g) A674 Blackburn Road / Proposed Commercial/Retail site access roundabout
- h) A674 Blackburn Road between M61 J8 and the residential access

- i) Euxton Lane / Hospital Access signal controlled junction
- j) New Strawberry Fields Signalised junction on Euxton Lane
- k) Other Measures and sustainability provision

The approved phasing strategy may be amended from time to time with the written approval of the Local Planning Authority.

Reason: To ensure that both the local and strategic highway networks continue to fulfil its purpose whilst, maintaining the safety for all users.

31. No phase of the development hereby approved shall be commenced until the full design details of the traffic mitigation schemes relevant to that phase, as identified in the phasing strategy approved under Condition 30 have been submitted to and approved in writing by the local planning authority in consultation with Lancashire County Council, unless otherwise agreed in writing with the Local Planning Authority'

The details to be submitted for each of the individual traffic mitigation shall include:

M61 Junction 8

- Signal optimisation (MOVA) is required with review as part of the s278 works and also at agreed trigger points
- Queue detectors on links
- Modernisation and performance upgrade of signal equipment and controller
- Technology to link associated signals both upstream and down stream
- CCTV to monitor operation

A6/A674 (Hartwood Hall junction)

- Technology to link associated signals both upstream and down stream
- Signal equipment to be updated and controller
- Queue detectors on Maple Gove, Drumhead Road and 'Keep Clear' road marking on Millennium Way A674
- Queue detector on Hazel Grove
- Traffic signs and road markings review
- Bus priority review
- CCTV to monitor operation

A6/Euxton Lane signalised roundabout (hospital roundabout)

- Widening - on the southbound approach from the north
- Traffic island to separate straight on from right turning traffic (north to south & west)
- Re-profile the central island to facilitate movement
- Queue loop detectors on appropriate links
- White lining / lane marking review and refresh
- Signing review and update as necessary
- Technology to link associated signals both upstream and down stream
- Signal optimisation / MOVA review at commencement
- Then part way through build out a further interim review (trigger to be agreed in line with phasing which is yet to be agreed)
- Final MOVA review and optimisation on substantial completion of development build out
- Modernisation and performance upgrade of signal equipment, controller and hurry call facility at the hospital
- Bus priority
- CCTV to monitor operation

In addition the following details, shall be submitted for each junction

- Final details of how the schemes interface with the existing highway alignment.
- Full carriageway surfacing and carriageway marking details.
- Full construction details.

- Confirmation of compliance with current departmental standards (as set out in the Design Manual for Roads and Bridges) and policies (or approved relaxations/departures from standards).
- An independent Road Safety Audit carried out in accordance with current departmental standards and current advice notes.

A674 Blackburn Rd / B6228 Blackburn Rd Signal Controlled Junction and B6229 Corridor

- Provision of a signal (MOVA optimisation) review to address impacts to best manage the future network with review at agreed trigger points (in line with development phasing) and white lining scheme (including Moss Lane junction).
- Scheme of measures to be delivered on this alternative route on the B5228 Blackburn Road / Blackburn Brow corridor to address impacts to best manage the future network. The scheme is expected to include the following:
 - Speed review along length (currently 40mph)
 - Review and update existing TRO's
 - Road marking review and refresh in vicinity of Great Knowley
 - Speed Indicator Device (SPID) on the approach from the north
 - Gateway on approach to Great Knowley from north including white lining, roundells and possible carriageway narrowing (links to road marking review)
 - Nearest bus stops to the PROW to be upgraded to quality bus (and shelter to be provided in the northbound direction towards Blackburn)

A674 Blackburn Road / B6229 Moss Lane priority junction

- Provision of a simple scheme of measures to be delivered on this alternative route on the B5229 Moss Lane corridor to address impacts to best manage the future network The scheme is expected to include the following:
 - Review of signing onto the corridor with its 7.5t weight restriction.
 - Consider influencing driver behaviours by changing the carriageway treatment on the B6229 at either end such as:
 - road marking including bar markings, or narrowing's
 - different surface colour at junctions,
 - raised tables.

A674 Blackburn Road / Proposed Residential site access priority junction

- Provision of details relating to access visibility, the vehicular approach from within the site to the junction and foot/cycleway and safety barrier on the A674.

A674 Blackburn Road / Proposed Commercial/Retail site access roundabout

- Provision of details that are not included on the submitted plan.
- A three phase approach will need to be undertaken at the junction being (however multiply phases may be delivered at the same trigger point):
 - Phase 1: Modify kerb lines to maintain lane discipline for circulating HGV's having regard to wing mirrors, (whole roundabout to satisfy standards)
 - Phase 2: Extend 2 lane flare from the southwest (M61) to form a 2 lane approach for a distance that can accommodate a minimum 10 cars (in each lane) i.e. circa 65m
 - Phase 3: Modify entry into the site to support 2 lanes (this supports site management).

A674 Blackburn Road between M61 J8 and the residential access

- TRO funding to ensure parking does not take place on this section of road and provision of interactive signing east and west of the site to support car park management and use of appropriate overflow strategies/carparks elsewhere.

Euxton Lane / Hospital Access signal controlled junction

- Technology to link associated signals both upstream and down stream
- Signal optimisation / MOVA review at commencement
- A further interim review
- Final MOVA review and optimisation on substantial completion of development build out
- Modernisation and performance upgrade to signal equipment, controller and hurry call facility at the hospital
- Bus priority
- CCTV to monitor operation

New Strawberry Fields Signalised junction on Euxton Lane

- Technology to link associated signals both upstream and down stream

Other Measures and sustainability provision

Provision of:

- Signing and road marking review and update
- Bus priority review
- TRO review
- Upgrading of bus provision on Blackburn Road
- Widen to 3m and resurface to accommodate shared use of Public Right of Way 9-2-FP26 which crosses the site from the eastern boundary at Blackburn Road
- Foot/cycle way provision on A674 between the residential access and M61 J8 including removing of verge, crash barrier changes
- PROW onto Blackburn Rd details to be agreed to include: gradients (suitable for intended users), construction specification, drainage lighting and maintenance/management responsibilities
- PROW onto Moss Lane details to be agreed to include: gradients (suitable for intended users), construction specification, drainage lighting and maintenance/management responsibilities
- Details of all other PROW infrastructure impacted by the development including any maintained by the canal and river trust.

Reason: In the interests of safety and sustainable transport.

32. The traffic mitigation measures identified in Conditions nos. 30 and 31 shall be delivered in accordance with the phasing strategy and details approved under the provisions of Conditions 30 and 31.

Reason: To ensure that both the local and strategic highway networks continue to fulfil their purposes whilst maintaining the safety for all users and in the interests of safety and sustainable transport.

33. With the exception of pre-commencement site clearance and preparation works, no part of the development hereby approved shall commence until a scheme for the construction of all site access, emergency access and sustainable access have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway works are acceptable before work commences on site.

34. Prior to the commencement of development, other than site enabling works, an Estate Street Phasing and Completion Plan shall have been first submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the development phases and the standards that estate streets serving each phase of the development will be completed. No dwelling or dwellings shall be occupied until the estate

street(s) affording access to those dwelling(s) has been completed in accordance with the Lancashire County Council Specification for Construction of Estate Roads.

Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway. This is required to be a pre-commencement condition to ensure the roads will meet the necessary standard before works start on the development.

35. No dwellings shall be occupied until details of the proposed arrangements for future management and maintenance of the proposed streets and public open space and any other areas within the development not to be adopted (including details of any Management Company) have been submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and maintenance company has been established.

Reason: To ensure appropriate management and maintenance of the site.

36. No roads proposed for adoption shall be commenced until full engineering, drainage and constructional details for them have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interest of highway safety and to ensure any streets for adoption will be constructed to the appropriate standard prior to their commencement.

37. The car parking spaces for each dwelling shall be surfaced or paved, drained and marked out all in accordance with the approved plan before it is first occupied. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas.

38. No Phase of development shall commence until an Employment and Skills Plan that is tailored to that phase of development and will set out the employment skills opportunities for the construction phase of the development has been submitted to and approved by the council as Local Planning Authority (unless otherwise agreed in writing by the council). That phase of development shall be carried out in accordance with the Employment and Skills Plan (in the interests of delivering local employment and skills training opportunities in accordance with Core Strategy Policy 15: Skills and Economic Inclusion).

Reason: In the interests of ensuring the maximisation of local job opportunities in accordance with Policy 15 of the Central Lancashire Core Strategy.