

**Item 3**                      **09/00665/OUTMAJ**                      **Permit Outline Planning Permission**

**Case Officer**                      **Caron Taylor**

**Ward**                      **Chorley South West**

**Proposal**                      **Outline application for residential development (specifying access)**

**Location**                      **Park Mills Deighton Road Chorley PR7 2HP**

**Applicant**                      **Mr Bill Beaumont**

**Consultation expiry: 30<sup>th</sup> September 2009**

**Application expiry: 20<sup>th</sup> November 2009**

**Proposal**                      The application is made in outline for residential development, specifying access only with all other matters reserved. The proposal is to demolish the existing Park Mills Structure and associated office building, along with nos. 1 and 3 Deighton Road and erect 68 dwellings on the site along with the necessary associated infrastructure. The residential properties would be served by two vehicular and pedestrian access points; the existing access to the site on Deighton Road and a new access from Oakwood Road.

**Summary**                      The site is an employment site, however it is accepted that the requirements of the relevant policies have been met in terms of its redevelopment for housing and the principle of the development is therefore acceptable. The application is only made in outline, however it is considered it has been demonstrated that a scheme of the size and scale indicated can be accommodated on the site. In terms of highways Lancashire County Council as the Highways Authority have not objected to the access points and welcome the removal of HGV traffic that presently uses the site being removed and the site coming into residential use. Given the lawful use of the site with no planning restrictions in terms of hours of operation the application is considered acceptable in terms of highways. Some affordable housing is proposed on the site, but its level of provision has been balanced against the desire to retain a long standing business within the Borough and to ensure the scheme is financially viable. Some flexibility in the level of affordable housing has therefore been recommended if the business is retained within Chorley Borough.

**Policies**                      **National Policies**

Planning Policy Statement 1: Delivering Sustainable Development

Planning Policy Statement 3: Housing

Planning Policy Statement 9: Biodiversity and Geological Conservation

Planning Policy Guidance Note 13: Transport

Planning Policy Statement 23: Planning and Pollution Control

### **North West Regional Spatial Strategy (RSS)**

Policy DP1: Spatial Principles

Policy DP4: Make the Best Use of Existing Resources and Infrastructure

Policy W3: Supply of Employment Land

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy EM2: Remediating Contaminated Land

Policy EM15: A Framework for sustainable Energy in the North West

Policy EM16: Energy Conservation and Efficiency

Policy EM17: Renewable Energy

### **Adopted Chorley Borough Local Plan Review**

GN1: Settlement Policy – Main Settlements

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

HS1: Housing Allocations

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS21: Play Space Requirements

EM9: Redevelopment of Existing Employment Sites for Non-Employment Uses

TR4: Highway Development Control Criteria

TR2: Development Access Points

SPG – Design Guidance

SPG – Proof of Marketing: Policy EM9. Redevelopment of Existing Employment Sites for Non-Employment Uses

### **Local Development Framework**

Policy SR1 – Incorporating Sustainable Resources into New Developments

Sustainable Resources – Development Plan Document and SPD

Sustainable Resources SPD

Sustainable Resources DPD

### **Planning History**

The only application relevant to the current planning application was in 2001 (01/00696/FUL) for the erection of 15 dwellings and associated infrastructure, which only related to the eastern part of the current site. The application was withdrawn before it was determined.

### **Background**

The application site is 1.44 hectares in size located to the south west of Chorley town Centre. It is bounded by the residential properties on Pembroke Place, Walleys Road, Oakwood Road, Collingwood Road and Letchworth Drive. The site is currently accessed of Deighton Road.

There is presently a mill building on the west part of the site backing onto the properties on Pembroke Place and Collingwood Road. There is a single storey office building in the northeast corner of the site and the two semi-detached properties on Deighton Road at the existing access point which are also

included in the application. There is a mixture of hardstanding and scrubland on the part of the site not covered by buildings which is largely overgrown. There are a number of trees on boundaries of the site, most notably on the southern boundary with Walleys Road and a small group of trees on the east boundary with no. 16 Oakwood Road.

In terms of topography the majority of the site is relatively flat although it falls slightly from east to west and north to south with greater fall down to the north/northwest of the site.

It is proposed to demolish the buildings on the site (including the pair of semi-detached dwellings on Deighton Road) and remove the surrounding hardstanding to develop the site for residential use.

## **Consultations**

### Chorley Council Planning Policy

The Council's latest employment land review (April 2009) states that the site has limited ability to deliver regional or local economic development objectives in its current employment use but could perform a role in the employment hierarchy, including local businesses.

Part of the land is allocated for Housing under policy HS1.20, the remainder of the proposed site is covered by policy GN1 under which there is a presumption in favour of appropriate development. However, policy EM9 protects employment land from non-employment uses.

It is understood that the applicant's business is struggling due to the cost of maintaining the Mill and wishes to relocate within Chorley Borough. The Council is minded to support such a relocation, however, it would prefer to see an employment use retained at this location. Proof of marketing is required in accordance with Policy EM9 in order to demonstrate that there is no realistic prospect of an employment re-use of the land and premises or redevelopment for employment purposes would not be economically viable.

Proof of marketing has been submitted which demonstrates that the requirements of Policy EM9 and the SPG have been met; therefore redevelopment for non-employment uses is acceptable.

Policy SR1 of the Sustainable Resources DPD requires that developments of 5 or more dwellings must incorporate sustainable resources into the development. As this application is only for outline with layout matters reserved, no information in relation to this policy is required at this stage however the requirements must be taken into account when determining the layout of the site and an Energy Efficiency/Resource Conservation Statement submitted as part of the reserved matters application demonstrating how the requirements of Policy SR1 have been addressed.

The Council's Urban Designer has provided advice on achieving a suitable layout and design on the site. Although these matters do not form part of this application and will be considered by a reserved matters application, the applicant will be made aware of them.

### Lancashire County Council Highways

State in principal there is no objection to this development or the arrangements to access it. It is perceived it would be a benefit to remove the HGV traffic that presently uses the site and bring it into residential use. The increase in vehicular movements would well within the capacity of the existing road network.

Whilst the vehicular movements would not require alterations to the existing roads, the likely pedestrian traffic would. Given the location of shops, schools and other nearby pedestrian-accessed destinations, more pedestrians will want to cross Collingwood Road at its junction with Letchworth Drive. The accident record here is not good despite the use of a part-time crossing patrol. They would therefore ask the S106 Agreement to include the cost of a Puffin Crossing at this point.

Their comments relate to the outline application only and they state they have not agreed that the indicative plan is acceptable in terms of highway layout.

#### Lancashire County Council Strategic Planning

The Director of Strategic Planning and Transport considers that the proposed development conforms to the North West of England Plan Regional Spatial Strategy to 2021.

#### United Utilities

Have no objection to the proposal

#### Environment Agency

Have no objection in principle to the proposal subject to a condition relating to ground contamination.

#### Chorley Council Contaminated Land Officer

Due to past use of, and activities upon and/or adjacent to the site, there is a potential for ground contamination. They state they have reviewed the information submitted with the application with respect to land contamination assessment and this information should be used to guide further site investigation and risk assessment, which is required to ensure compliance with current best practice guidance. As they would need to see a detailed report of site remediation proposals prior to any development and given the size and sensitive end-use of the proposed development, they recommend conditions that should be applied to any permission.

#### Lancashire County Council Ecologist

Has reviewed the Bat Survey and Preliminary Tree Survey and does not object to the proposal subject to the implementation of planning conditions to ensure compliance with the relevant policies and guidance.

#### Natural England

State they are not aware of any nationally designated landscapes or any significant impacts upon Natural England's other interest, though they note that the information provided identifies that bats, which are a legally protected species, may be affected by the proposal and are a material consideration in determining the application.

#### Police Architectural Liaison Officer

States they have searched the crime data and crime and anti-social behaviour in the area of the proposed site not to be of particular concern. However, the alleyway at the rear of the development causes concern as a potential for future crime and disorder.

#### Chorley Council Strategic Housing

In respect of the 20% affordable housing requirement on the site, the Central Lancashire Interim Housing Needs Study states that the tenure split should be 80% Social Rented Units and 20% Intermediate Units (Shared Ownership/Discounted Open Market Sale). The principle need for properties in this area is for two and three bedroom family houses.

#### Chorley Council Arboricultural Officer

The site around the factory is mainly overgrown scrub. The ground is very wet and any trees worthy of retention are around the boundary, mainly on the southern side. There are three Oaks and two Sycamores here of around 10 metres height, all worth keeping. The rest of the trees along the south boundary are as shown on the plan and they agree with the ones marked on the tree survey as worthy of keeping.

Given that these trees are in a long row, any Root Protection Areas would be best served by running a fence line along the whole length of the trees, giving a minimum of six metres clearance from the trunks of the trees, given their sizes.

There are some Sycamores and others along the northeast corner, by Ventnor road, but of these the Hawthorn in the corner is worth keeping. There are some semi-mature Sycamores here also but they are in such close proximity to the house on the other side of the fence that they would cause huge problems for the household in the next few years and as such they would not recommend them being protected by a Tree Preservation Order.

In summary, the southern boundary of this site contains almost all the trees worthy of protection and they would recommend they be covered by a Tree Preservation Order, also including the hawthorn in the northeast corner.

#### Coal Authority

##### Standing Advice

### **Representations**

Nineteen objections have been received to the application, although several residents state that they are in support of the site being redeveloped for residential use in principle, they do have concerns regarding the development.

The planning reasons for objection can be summarised as:

- Increases in traffic – the roads are already too busy as they provide a ‘cut through’ for traffic heading in and out of the town centre. Extra traffic will be detrimental to road safety and the amenity of residents. The roads are already very busy especially at school times and on-street parking is difficult, especially when the older properties were built without any off-street parking.
- School class sizes in the area are large enough, or you can't get your child into the school you want;

- There will be overlooking of the existing houses surrounding the site;
- There will be noise from the new families living on the estate;
- There is already enough housing being built in the area;
- The demolition and site preparation will result in heavy vehicles to the area and result in dust and dirt;
- The number of dwellings proposed seems excessive for the site;
- There will be problems with drainage;
- Three-storey houses are unacceptable and may result in overlooking;
- Access to the alley to the rear of the properties on Collingwood Road/Letchworth Drive must be maintained;
- A traffic survey should be undertaken;
- The access on Deighton Road is not wide enough to serve as the access to the site if there is parking on both sides;
- The height of the buildings at the entrance to the site are too high at three and two and a half storeys, these should be towards the centre of the development rather than dominating the entrance;
- Planting proposed may block light to the rear of existing properties;
- The factory is quiet in the evenings and at weekends and the proposal will increase noise at these times.

### **Applicants case**

The mill building contains around 4,800m<sup>2</sup> of commercial floorspace within a structure which no longer serves the needs of a 21<sup>st</sup> century business which the site owner continues to operate. Although the building is now used for the storage and distribution of textiles, rather than their manufacture, the layout and internal arrangements and roof heights of the building do not allow the business to operate as efficiently as would be the case with a new building. The business presently operates between approximately 07.00 and 18.00 on weekdays, although there are no planning controls on the site which prevent 24 hour operation and delivery wagons can arrive outside these hours.

The age of the building means it now requires regular repair and refurbishments which are becoming both more frequent and more expensive. The cost of repairs to the building is no longer sustainable in the medium or long term. In addition the access to the site via Deighton Road and the surrounding on-street car parking can block or partially obstruct the movements of HGVs to the site and there can be delays in them delivering their loads. This also causes problems with other residential traffic.

As a consequence the use of the building has diminished over recent years and parts of the floorspace have been sub-let to other businesses. The applicant has therefore made the decision to relocate his business within the Chorley area, to enable it to operate in a more efficient and effective way. If the business is not relocated, it is unlikely to continue to trade in the medium to longer term.

### **Assessment**

#### Principle of the development

Part of the site to the east and south (the area not forming part of the existing building complex or area of hardstanding) is allocated for housing in the adopted Local Plan by Policy HS1.20.

The part of the site not covered by the housing allocation is currently an employment site and therefore if it to be developed for non-employment uses, policy EM9 and its associated Supplementary Planning Document must have been satisfied.

A Proof of Marketing Report accompanies the application as required by Policy EM9. In addition the applicants state that Park Mill pre-dates virtually all of the residential development in the local area, but over the years the site has become completely enclosed by housing, much of which is located within a very short distance of the mill building itself.

Chorley Council Planning Policy Section has considered the proposal against the criteria in Policy EM9 and accepts that the application complies with the Development Plan and is therefore acceptable in principle.

#### Layout, Design, Scale and Appearance

The application is made in outline with only the access being specified at this stage. The layout, appearance and scale of the buildings will therefore be dealt with at the reserved matters stage. However, as is necessary the applicant has provided an indicative layout plan and details of the scale and massing of the proposal to ensure appropriate development can be achieved on the site.

In terms of scale the majority of properties on the site would be two-storey. Originally 3, three-storey buildings were proposed at key focal points within the site, however the proposed three-storey dwelling at the Deighton Road access has been reduced to two-storeys (and an amended plan received) following concerns it would be seen in the context of the wider area which is made up of single-storey bungalows and two-storey properties as well as its relationship with existing properties. The 2 remaining three-storey dwellings proposed are within the site itself and are considered acceptable as they will add visual interest to the layout.

The proposed house types would be a mixture of detached, semi-detached and mews houses. This is also considered acceptable as there are a range of property types in the surrounding area.

It is therefore considered that the site is capable of accommodating a scheme based on the above parameters.

#### Neighbour Amenity

The application is only made in outline and the plans included are only indicative of a possible layout. The application acknowledges the difference in ground levels between the existing dwellings and the site and that any scheme at reserved matters stage will have to comply with the relevant interface guidelines for new residential developments (which also take into account differences in ground levels) in terms of the proximity between the existing and new dwellings.

#### Highways and Parking

The access to the site is the only matter that is to be considered in full as part of this application. The site is proposed to be accessed at two points; the existing access to the site on Deighton Road will remain and an additional access will be created on Oakwood Road. This second access is covered by Policy TR22: Development Access Points in the adopted Local Plan which

prevents access to future development proposals from being built on for other purposes and is therefore acceptable in principle. Lancashire County Council as Highways Authority for the area does not object to the access points. In addition the lawful use of the land with no restrictions on the hours of operation (due to its age) must be taken into account. It is considered given this position and the proximity of the site to the residential properties that have grown up around it, that the site would be better in residential use in terms of highways

In terms of parking the scheme is proposed to have 200% (two spaces per dwelling). Although this would be assessed as part of the layout at the reserved matters stage, the applicant has been made aware of the current parking standards for residential developments (i.e. a dwelling with four or more bedrooms requires three off-road parking spaces). Although the number of bedrooms per dwelling has not been identified at this stage, they are aware that any reserved matters application will need to comply with the parking standards in force at that time.

The cost towards a puffin crossing is part of the s106 agreement as requested by LCC Highways.

#### Contamination

The east part of the site is filled land and a contamination assessment has been submitted with the application

#### Affordable Housing

Local Plan policy HS5 states that a minimum proportion of 20% of units on a site over 1ha (or 25 dwellings or more) should be affordable. On this site that would mean 14 of the dwellings should be affordable and these should be at a tenure split of 80% Social Rented Units and 20% Intermediate Units.

However, the applicants state that the Park Mills site has significant abnormal development costs. These include contamination issues and due to the proximity of the mill building to the adjacent houses the demolition costs are likely to be higher than normal.

The application is accompanied by a viability assessment report which examines the costs of developing the site and the consequent impact of these costs on the viability of the scheme. The report concludes that the development is only viable under current market conditions with 6 units of affordable housing, which equates to 8.8% of the total development and that 20% affordable housing as required by policy would not produce a sufficient profit margin to attract any potential developer.

It therefore needs to be considered whether there are sufficient planning reasons to warrant negotiation of the level of affordable housing to restore viability and allow delivery of the scheme. The financial appraisal report has therefore been assessed by a surveyor from the Council's Property Services provider and further discussions have taken place between them and the developer to look at ways of securing a justified affordable housing on the site.

It is considered there is justification for reducing the amount of affordable housing units on the site in terms of the viability of the scheme. Non-viability of a scheme is a material consideration in

determining planning applications and it is acknowledged that the current affordable housing requirements were formulated in a different economic climate to that which is now being experienced.

It was concluded that with the full 20% affordable housing provided, the amount of profit would be very sensitive to anything going wrong such as the contamination becoming more expensive, or further expense with the mill being demolished and then not achieving the sale prices shown.

Although a higher level of affordable housing is likely to be achieved by changing the tenure split from 80% Social Rented Units and 20% Intermediate Units to a mix with a lower proportion of social rented, the demand within the area is for social rented, so it is not considered this would be acceptable. To achieve social rented the number of units would therefore have to be reduced. In terms of the financial appraisal it is considered that 10 social housing units can be achieved on the site, while still allowing the development to be financially viable.

However, as the market may improve, the applicant has agreed to a clause in the Section 106 legal agreement through which the affordable housing is provided which links any uplift in value of the site to the level of affordable housing to be provided. In addition, the Council is obviously keen to see the existing business on the site retained within the Borough. The applicant has envisaged there may be a need to reduce the number of affordable units, on a sliding scale, down to a reduction of 7 if they encounter problems purchasing a new site within the Borough. However it is not considered a s106 agreement would be able to cater for the various possible eventualities, and if such a situation arose the s106 agreement would have to be amended at that time. Therefore, whilst affordable housing is a priority it is accepted there is considerable benefit in retaining a long standing employer within the Borough and therefore if the business found a site within the Borough the Officers recommendation is to agree to lower the level of affordable housing provision if necessary to secure this. The precise number of units would be dictated by the cost of the land/unit to be purchased for the relocation of the business at the time, but the lowest figure of affordable units accepted would not be less than 7. By accepting the recommendation of this report, Committee would also be accepting to vary the s106 as outlined above if necessary.

#### Sustainable Resources

The Council has adopted a Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document, both of which form part of Chorley's Local Development Framework, the provision of Policy SR1 applies to this proposal. The policy requires all new dwellings to achieve Code for Sustainable Homes Level 3 and above (dependent on when they are constructed) and that low carbon energy sources form part of the development which reduce the carbon emissions of predicted energy use by a minimum of 10%. As this application is an outline application this requirement will be dealt with via a condition to be submitted at reserved matters stage.

#### Ecology

A bat survey report accompanies the application. The County

Ecologist has reviewed the report does not object to the scheme subject to appropriate conditions.

#### Trees

The trees warranting protection according to the Arboricultural Officer on the southern boundary of the site and the Hawthorn next to Ventnor Road/Oakwood Road junction have been protected by Tree Preservation Order 7 (Chorley) 2009 (subject to confirmation). These trees are proposed to be retained in the tree survey accompanying the application. A condition regarding the scheme being carried out in line with this tree survey is proposed.

#### Commuted Sum

New housing developments not large enough to require the provision of on-site public open space, such as this, are required to enter into a legal agreement for a commuted sum per dwelling for the provision of off-site facilities. In this case some open space is provided on site at the entrance and therefore the commuted sum payment has been adjusted accordingly, but the requirement to provide the illustrated amount of open space has been included in the legal agreement. It is therefore considered that the proposal complies with the Councils requirements in this respect.

#### Other

The Police Architectural Liaison Officer has raised concern regarding the alleyway at the rear of the development as a potential for future crime and disorder. The only way to secure this would be through alley gates. However, the site is not within the application site boundary and residents living in the houses that back onto it at present have expressed that access to it must be maintained at all times.

**Recommendation**    **Approve (subject to s106 agreement), refuse if not sign by statutory target date.**

#### **Conditions**

1. An application for approval of the reserved matters (namely layout, external appearance of the buildings, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

*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.*

2. The development hereby permitted shall be carried out in accordance with the approved indicative Masterplan (reference 09-026 Drawing No: 001 Rev E October 2009), in relation to the scale, including building heights, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure an acceptable form of development for the site within the parameters of the outline permission.*

3. 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 10175:2001 'Investigation of potentially contaminated site - 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 the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the 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.

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use, in accordance with PPS23.*

4. No part of the development hereby permitted shall not be occupied until the two vehicular accesses have been constructed in accordance with plans, which have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.*

5. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. 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 buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

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

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

7. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. This shall include details of how the proposed driveway/hardsurfacing to the front of the properties/communal areas shall be

constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway). The development shall only be carried out in conformity with the approved details unless otherwise agreed to in writing by the Local Planning Authority

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and to prevent flooding and in accordance with Policy Nos. GN5 and HS9 of the Adopted Chorley Borough Local Plan Review.*

8. Before any development hereby permitted is first commenced, full details of the surfacing, drainage and marking out of all car park and vehicle manoeuvring areas shall have been submitted to and approved in writing by the Local Planning Authority. The car park and vehicle manoeuvring areas shall be provided in accordance with the approved details prior to first occupation of the premises as hereby permitted. 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 and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.*

9. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including storage, collection of refuse and management of the open space, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company, or their successors, in accordance with the approved arrangements.

*Reason: To ensure the satisfactory management of the site and in accordance with Policies GN5, HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.*

10. The site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Environment Agency. If surface water is allowed to be discharged to the public surface water sewerage system the Environment Agency may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

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

11. The application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions by the figure set out in policy SR1 of the Sustainable Resources DPD at the time of commencement of each individual plot by means of low carbon sources. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.*

12. The application for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The scheme shall include details of the Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be

required to meet Level 6 of the Codes for Sustainable Homes. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.*

13. The application for approval of reserved matters shall be accompanied by full details of the location of the on site affordable housing units. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure the proper development of the site and in accordance with Policy Nos. HS5 of the Adopted Chorley Borough Local Plan Review.*

14. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

15. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005. The trees on the southern boundary/southwest corner of the site shall be fenced along the whole length of the trees, giving a minimum of six metres clearance from the trunks of the trees. Any other trees to be retained on the site shall be fenced at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

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

16. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out on the area of land affected until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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

17. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.

*Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.*

18. Prior to the commencement of the development full details of the bin storage facilities associated with the proposed residential units shall be submitted to and

approved in writing by the Local Planning Authority. The bin storage thereafter shall be constructed and retained in accordance with the approved plans.

*Reason: To ensure that adequate refuge storage is provided on site and in accordance with Policy HS4 of the Adopted Chorley Borough Local Plan Review.*

19. The demolition of the existing buildings and subsequent development hereby permitted shall only be carried out in accordance with the bat mitigation proposals in sections 4.2-4.4 (inclusive) of the Report of Licensed Bat Survey (dated May 2009) carried out by the Environmental Research & Advisory Partnership.

*Reason: To ensure the continued and future protection of bats and in accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and PPS9..*

20. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.

*Reason: To reduce the risk of flooding and in accordance with PPG25.*

21. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

*Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.*

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