

APPLICATION REPORT – 20/01171/FUL

Validation Date: 2 November 2020

Ward: Wheelton And Withnell

Type of Application: Full Planning

Proposal: Erection of 4no. dwellings with associated parking and domestic gardens pursuant to permission in principle 20/00688/PIP

Location: St Lukes Church Quarry Road Brinscall Chorley PR6 8RB

Case Officer: Mike Halsall

Applicant: Mr and Mrs Lewis-Pierpoint

Agent: Mr Graeme Thorpe, PWA Planning

Consultation expiry: 22 December 2020

Decision due by: 5 February 2021 (extension of time agreed)

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions.

SITE DESCRIPTION

2. The application relates to the land upon which St. Lukes Church is situated, located on the eastern side of Quarry Road, towards the eastern edge of the settlement boundary of Brinscall. The church fronts Quarry Road in an existing street frontage, is located centrally within a wider plot of grassed land with dwellings located either side to the north and south. The land to the rear of the church, to the east, appears to be open pastureland. It is understood that the church has not been in regular use for any purpose since early 2018. The church is not a locally or statutorily listed building.
3. Planning permission has previously been granted in December 2019 for the conversion of the church to a dwelling ref. 19/01031/FUL. Following this, the landowner reassessed their options for the development of the site and decided upon the demolition of the church and redevelopment of the site for housing.
4. Whilst the church has not yet been demolished, the method of demolition of the church was approved by the Local Planning Authority in April 2020 via a prior approval application ref. 20/00343/DEMCON. Planning permission for the demolition of the church is not required as it falls to be considered permitted development under Schedule 2, Part 11, Class B of the General Permitted Development (England) Order 2015.
5. Members will recall that they resolved to grant Permission in Principle in September 2020 for the erection of up to 4no. detached dwellings with associated parking and domestic gardens on this site.

DESCRIPTION OF PROPOSED DEVELOPMENT

6. This application seeks planning permission for the erection of 4no. dwellings with associated parking and domestic gardens as the second 'technical details consent' stage pursuant to permission in principle 20/00688/PIP.
7. The four proposed dwellings would be identical to each other with the exception of Plot 1, the design of which has been amended during the determination process in order to reduce its associated impacts upon the neighbouring dwelling, no.3 Quarry Road. The proposed dwellings are proposed to be detached properties with 5no. bedrooms over three floors with traditional stone frontages, slate roofs and would be set slightly back from the existing building line on Quarry Road with off-street vehicle parking spaces to the front and private garden areas to the rear.

REPRESENTATIONS

8. Representations have been received from six individuals citing the following grounds of objection:
 - Insufficient amenity space around the dwellings
 - Overdevelopment of the site
 - The existing building line is not proposed to be followed
 - Scale is not in keeping with existing dwellings
 - Proposal will detract from the amenity, character, distinctiveness and environment of the area
 - 43% increase in built volume compared to the church
 - The church has not yet been demolished
 - Encroachment onto path/public right of way to the rear of the property blocking access to existing residents on Quarry Road
 - Increase in vehicle movements
 - Road and pedestrian safety
 - Quarry Road requires regular maintenance to maintain its condition – additional vehicles will add to this
 - Landownership issues
 - Flood risk – insufficient sewer network and loss of soakaway space from building on partially greenfield land – flood risk is already a regular occurrence on Quarry Road
 - Application should be supported by a Flood Risk Assessment
 - Overshadowing, overlooking, loss of privacy, loss of daylight
 - Strain on local amenities and infrastructure
 - Rear elevations of the dwellings are set further back than the existing building line
 - Materials are unsuitable
 - Quarry Road is identified by EA mapping as being at high risk of flooding
 - Harm to local ecology – loss of nesting / roosting habitats
9. The access track/path to the rear of the dwellings on Quarry Road is not a designated Public Right of Way. Any encroachment of this by the proposed development and resultant blocking/partial blocking of its use is, therefore, a civil matter and not a material planning consideration in the determination of this planning application.
10. The differences in built volumes when comparing the church to the proposed dwellings and whether the church has been demolished or not are not material planning considerations as the application site is not located within the Green Belt. The demolition of the church itself can be undertaken under permitted development rights.
11. Other issues identified above are addressed later within this report.

CONSULTATIONS

12. United Utilities (UU): Have responded to advise the applicant of the existing raw water culvert, known as the Goit which lies in close proximity to the site. It is a significant United Utilities' asset that runs between reservoirs at Roddlesworth and Rivington. It is the developer's responsibility to ensure appropriate steps are taken by them to ensure there is no detrimental impact on this asset, either by way of structurally through construction vibration or increased risk of water pollution.

The applicant proposes to connect surface and foul water to the existing sewer network beneath Quarry Road. UU's response states that they do not believe that sufficient information has been included to investigate options for surface water infiltration by the applicant and also requests the applicant submit additional information with regards to ground and finished floor levels and a construction method statement to ensure UU's assets are not affected by the proposal.

The case officer requested the above information from the applicant, but they were reluctant to provide the information prior to the determination of the application. UU have not objected to the proposal and have recommended conditions that would require the above information to be submitted and agreed with the local planning authority prior to the commencement of development.

13. Lancashire County Council Highway Services (LCC Highways): Have responded to state that the proposed development would not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. LCC Highways have requested conditions be attached to any grant of planning permission relating to vehicle turning space and cleaning of construction vehicle wheels and Quarry Road during the construction period. LCC Highways have requested that the planning application boundary be amended to include Quarry Road and to show the connection of the site to the adopted highway and for the surface of Quarry Road to be improved by the applicant after construction of the dwellings is complete.

In relation to the planning application boundary, it is not a statutory requirement to show how a development site would connect to the adopted highway. The National Planning Practice Guidance states that *"the application site should be edged clearly with a red line on the location plan. It should include all land necessary to carry out the proposed development (e.g. land required for access to the site from a public highway, visibility splays, landscaping, car parking and open areas around buildings)."*

The Town and Country Planning (General Permitted Development) (England) Order 2015 identifies that "highway" includes an unadopted street or a private way. The document 'Permitted development rights for householders - Technical Guidance' identifies a "highway" as a public right of way such as a public road, public footpath and bridleway. For the purposes of the Order it also includes unadopted streets (i.e. a street not being a highway maintainable at the public expense within the meaning of the Highways Act 1980) or private ways.

In light of the above it would seem unnecessary to require the applicant to extend the application boundary over Quarry Road so it meets the adopted highway (Butterworth Brow) as Quarry Road itself is a highway, albeit unadopted. Requiring the applicant to improve Quarry Road would neither be necessary to make the proposal acceptable or within their powers as they do not own the road. Such a planning condition would, therefore, fail the tests for planning conditions set-out within paragraph 55 of the National Planning Policy Framework.

14. Greater Manchester Ecology Unit: Have responded to state that Rhododendron, which is listed on Schedule 9 of the Wildlife and Countryside Act, 1981 (as amended) was recorded on the site. It is an offence to plant or cause this species to spread in the wild. An appropriate informative on any planning permission to advise the applicant of this is recommended.

The development proposal provides an opportunity to deliver gains for biodiversity, in line with national planning policy. Measures such as inclusion of bat and bird boxes/bricks incorporated into the proposed new houses and the use of native species within the landscape scheme should be secured through the planning process.

15. Lead Local Flood Authority: Have confirmed that they have no comments as the proposal is not of a scale/type to which they provide comments.
16. Lancashire County Council Archaeology Service: Have responded to state that the site has negligible archaeological potential and archaeology does not need to be considered further for this application.
17. Council's Waste & Contaminated Land Officer: Have confirmed that they have no comments.
18. Council's Tree Officer: Have advised that there are no trees of any significance on-site. There are some trees off site, to the north, which could be impacted. The negative impact on these could be minimised by following the recommendations contained within BS 5837:2012.
19. Lancashire County Council (Education): No comments have been received.
20. Withnell Parish Council: No comments have been received.

PLANNING CONSIDERATIONS

Principle of development

21. The acceptability of the principle of residential development on the site has been established through the grant of permission in principle.

Impact on character and appearance of locality

22. The National Planning Policy Framework (the Framework) attaches considerable importance to achieving good design and a high-quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and policy BNE1 of the Chorley Local Plan 2012 - 2026.
23. The proposed development comprises four detached dwellings of traditional design style when viewed from Quarry Road to the front. The rear elevations would have a more modern design style with a first-floor balcony area and larger window openings, particularly to the second floor serving the master bedroom. These features would add interest and some degree of distinctiveness to the development. Plot 1 is of a slightly different and unconventional design to the rear, having been set-back from the shared boundary with no.3 Quarry Road. This would not be visible from the Quarry Road and is considered to be acceptable.
24. The submitted Landscape Strategy drawings show that proposed boundary treatments include a mix of low stone walls with ornamental native hedges above and horizontal timber fencing. The front driveways to the properties would comprise permeable resin bound gravel, with Marshall's road kerbing to denote the edge of the driveways. Timber bollard lighting is proposed at the entrance of each property. To the rear of the properties, the landscaping strategy incorporates a resin bound gravel patio directly to the rear of the dwellings, along with a natural seeded lawn with granite set edging, shrub beds and feature topiary. Notwithstanding the submitted landscape drawings, a fully detailed landscaping scheme could be requested to meet the requirements of a suitably worded planning condition.
25. The proposed dwellings would sit back from the existing building line to enable sufficient off-street parking to be accommodated to the front of the dwellings and to reduce impacts

upon an upstairs window of no.3 Quarry Road. This is a considerate approach and would not harm the appearance of the properties in the streetscene, as an active frontage would still be achieved.

26. There would be a suitable dwelling to plot ratio and the proposed dwellings would be of similar scale to others on Quarry Road. As such the proposed development would be appropriate in the context of the site and surrounding development and would not be detrimental to the character of the locality, given their design and positioning.
27. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 in respect of design.

Impact on neighbour amenity

28. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
29. There has been a lot of discussion and negotiation between the applicant and planning officers regarding the layout of the proposed development and its potential impacts upon the residential amenity of the occupiers of no.3 Quarry Road, the neighbouring dwelling located to the north. The scheme has been revised since the application was originally submitted to improve the relationship between the two dwellings.
30. There are 5no. habitable room windows in the side elevation of no. 3 Quarry Road that would face the side elevation of the proposed dwelling on Plot 1. At ground floor these serve a living room (2no.) and a kitchen. These are secondary windows serving these rooms with the main aspect windows to the front and rear of the dwelling, respectively. The proposed dwelling would be set back further from Quarry Road than no.3 and so would not sit directly opposite the living room window. There is a main bedroom window at first floor within no.3 Quarry Road, located above the kitchen windows, which would face the application site with a much smaller secondary window in the rear of the property. The applicant has redesigned the dwelling on Plot 1 to set back the two-storey element so to be 11m from the facing windows of no.3 Quarry Road. The Council's interface distance for such situations is 12m, as set out within Appendix 2 of the Design Guidance SPD (2004). It should be noted however that the existing situation with the Church located on the application site does not meet the Council's interface distances, with its side wall less than 11m from the habitable room windows of no.3 Quarry Road. Given the existing relationship of no.3 Quarry Road and the church, it is considered that, on balance, the degree of separation from the side facing windows is acceptable. The proposed dwelling would however appear more imposing than the church from the side windows of no.3 Quarry Road and would have a greater impact in terms of loss of light.
31. There is a study/office at first floor level within no.3 Quarry Road which has a secondary window facing the application site with the main window to the rear of the dwelling. There would be an impact upon this window but this would be minimal and as this is only a secondary window, the relationship is considered to be acceptable.
32. The rear elevation of no.3 Quarry Road contains habitable room windows at both ground floor and first floor and the dwelling on Plot 1 extends further to the rear than no.3 Quarry Road and so would be visible from these windows. The applicant has produced a drawing that shows the Council's interface distances, a 45 degree line drawn from these windows, to show the scheme's compliance with these distances. The proposal is considered acceptable in this regard.
33. There are windows serving bathrooms and landings within the side elevations of each of the proposed dwellings. It is considered necessary for these to be obscurely glazed to protect privacy. This can be secured by a suitably worded planning condition.

34. The facing elevation of the existing dwelling at no.2 Quarry Road comprises a blank gable elevation. The south facing elevation of the proposed dwelling on Plot 4 would contain windows but these would not serve any habitable rooms.
35. Balcony areas are proposed which could result in overlooking into the rear garden areas of neighbouring dwellings. It is, therefore, considered necessary to provide screening to the sides of the balconies, the details of which can be required to be submitted for the agreement of the local planning authority by planning condition.
36. In light of the above, it is considered that the proposed development would have some tension with policy BNE1 of the Chorley Local Plan 2012-2026 by Plot 1 having an impact on outlook and causing loss of light to the side windows of no.3 Quarry Road. However, given that the existing relationship between no.3 Quarry Road and the church, the impacts are considered to be acceptable as they would not be substantially greater than the existing situation.

Highway safety

37. Based on the car parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A, it is clear from the proposed layout that off-road parking provision for at least three vehicles for each dwelling can be achieved in line with the Council's adopted standard. LCC Highways have assessed the proposal and raise no objection subject to conditions.

Flood risk and drainage

38. Policy 29 of the Central Lancashire Core Strategy seeks to improve water quality, water management and reduce the risk of flooding by;...
'd. Appraising, managing and reducing flood risk in all new developments, avoiding inappropriate development in flood risk areas particularly in Croston, Penwortham, Walton-le-Dale and southwest Preston; ...
g. encouraging the adoption of Sustainable Drainage Systems...'
39. The National Planning Practice Guidance (NPPG) sets out that a Flood Risk Assessment (FRA) is required if a development is:
 - in flood zone 2 or 3 including minor development and change of use
 - more than 1 hectare (ha) in flood zone 1
 - less than 1 ha in flood zone 1, including a change of use in development type to a more vulnerable class (for example from commercial to residential), where they could be affected by sources of flooding other than rivers and the sea (for example surface water drains, reservoirs)
 - in an area within flood zone 1 which has critical drainage problems as notified by the Environment Agency
40. In addition, the Local Planning Authority (LPA) is required to consult the Environment Agency (EA) if the development is within Flood Zone 1 and:
 - within 20m of a main river on the Environment Agency flood map
 - in an area with critical drainage problems, other than minor development.
41. The LPA is required to consult the Local Lead Flood Authority (LLFA) only for major development.
42. The site is smaller than 1ha, is in Flood Zone 1, is not identified as being within an area with critical drainage problems by the Environment Agency and is not within 20m of a main river. There is, therefore, no requirement to undertake a FRA or to consult the EA or LLFA for this application.
43. Neighbour objections have suggested that a Flood Risk Assessment should have been submitted in support of the planning application due to the proposed development having potential to increase the risk of off-site flooding on Quarry Road. They also refer to the

Environment Agency surface water flood map that shows a small section of the site as being at low risk of surface water flooding.

44. Clarity on the above matter has been requested from the Environment Agency and their Planning Advisor responded as follows:

“The NPPF [National Planning Policy Framework] does allow for LPAs to request a FRA [Flood Risk Assessment] where land may be subject to other sources of flooding, but the request would need to be based on evidence. The EA SW [Environment Agency Surface Water] Flood Map service specifically says that map does not identify risk to specific properties, so the LPA would struggle to use this as evidence to require a site-specific FRA.

If there is evidence of flooding from other sources on the application site, a FRA may be required. However, evidence of flooding off-site, beyond the red-edge boundary, would be unlikely to warrant a FRA unless it could be demonstrated that the source of flooding was likely to impact on the proposed development.

While there does not appear to be sufficient evidence for the LPA to request a FRA, the developer has submitted a drainage strategy outlining how surface water will be dealt with. The applicant has taken a conservative approach and assumed that 100% of surface water will drain to the combined sewer, even though this is unlikely as there will be some infiltration within the proposed garden areas. The applicant has identified a Greenfield run-off rate and attenuation scheme and it will be for UU [United Utilities] to decide if this is an acceptable as part of the application to connect surface water to the combined sewer (if there is no sustainable alternative). However, the applicant has clearly considered surface water management as part of the application and a FRA would only conclude that surface water run-off be restricted to existing rates to reduce off-site risk, as is proposed in the drainage strategy.”

45. In light of the above, there is no justification for a Flood Risk Assessment being requested in support of the planning application.
46. In accordance with the Framework and the NPPG, the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
47. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
48. As noted by the Environment Agency, a Drainage Strategy is submitted in support of the application. In relation to surface water, the Drainage Strategy sets out that an infiltration system is unlikely to be achievable given the ground conditions at the site [underlain with clay] and discharge into a watercourse would be unviable given the distance to the nearest watercourse. It is, therefore, proposed that surface water drainage is achieved via a new connection into the existing combined sewer along Quarry Road.
49. In order to restrict the rate of surface water discharge, attenuation is proposed beneath the proposed car parking areas, with a hydrobrake flow restrictor used to restrict flows. It is proposed that foul water is discharged into the existing sewer via a new manhole on the western boundary of the site.
50. As noted above, United Utilities have requested conditions be attached to any grant of planning permission that includes a detailed investigation into the possibility of surface water infiltration options at the site before they allow connection to the combined sewer

which is the least preferable option. As such, the proposal is considered to be acceptable in terms of drainage, subject to conditions.

Ecology

51. Policy BNE9 of the Chorley Local Plan 2016-2026 states that priority will be given to protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
52. The site has no nature conservation designations, legal or otherwise. The application site is considered to be of low ecological value; however, it is considered that a planning condition could be attached as a precautionary measure requiring a check for nesting birds to take place prior to site clearance works. Conditions relating to the clearance of Rhododendron and for ecological enhancement measures as suggested by the Council's ecological advisors could also be included. Ecological impacts are considered unlikely and the proposal is considered acceptable in this regard.

Public open space (POS)

53. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
54. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
55. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.
56. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
57. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
58. There is currently a deficit of provision in Brinscall in relation to this standard, a contribution towards new provision in the settlement would normally, therefore, be required from this development. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and no schemes are currently identified. No contribution can, therefore, be requested for this scheme.

Sustainability

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

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

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

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

Community Infrastructure Levy

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

CONCLUSION

62. The proposed development would have a slight impact upon residential amenity by having an impact on outlook and causing loss of light to the occupiers of no.3 Quarry Road. It is considered however that due to the existing situation with the church being located the same distance from the main habitable room windows of no.3 as the two-storey elements of the proposed dwelling on Plot 1, this impact is acceptable.
63. The application site is located in a sustainable location in a settlement area and comprises previously developed land. It is considered that the proposed development would have no detrimental impact on the character of the area and would not give rise to undue harm to ecology, drainage or highway safety, with the implementation of planning conditions. The proposal is therefore recommended for approval.

RELEVANT HISTORY OF THE SITE

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| Ref: 5/4/00013 | Decision: CLO | Decision Date: 14 August 1949 |
| Description: W.C at church | | |
| Ref: 89/00013/FUL | Decision: PERFPP | Decision Date: 21 February 1989 |
| Description: Extension and new access | | |
| Ref: 19/01031/FUL | Decision: PERFPP | Decision Date: 19 December 2019 |
| Description: Conversion of existing St Lukes Missionary Church into one dwelling, including the removal of an existing single storey extension and erection of a garage | | |
| Ref: 20/00343/DEMCON | Decision: PERDEM | Decision Date: 11 May 2020 |
| Description: Demolition of redundant building to facilitate future development of the site | | |

Ref: 20/00688/PIP **Decision:** PERPIP **Decision Date:** 10 September 2020
Description: Permission in principle application for the erection of 4no. detached dwellings with associated parking and domestic gardens

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

Suggested conditions

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

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

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

Title	Plan Ref	Received On
Location Plan	(S)2-03-PIP	2 November 2020
Proposed Site Plan	(S)02-01-PIP Rev B	14 January 2021
Plot 1 - Proposed Floor Plans	(P)3-02-PIP	14 January 2021
Plot 1 - Proposed Elevations	(E)5-03-PIP Rev B	14 January 2021
Plots 2, 3 and 4 Proposed Elevations	(E)5-02-PIP Rev B	14 January 2021
Plots 2, 3 and 4 - Proposed Floor Plans	(P)3-01-PIP Rev B	14 January 2021

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

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

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

4. Prior to the commencement of development, a scheme for the landscaping of the development and its surroundings shall be submitted and approved in writing by the Local Planning Authority. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform, proposed finished levels, means of enclosure, minor artefacts and structures. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.

5. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards. This shall include the trees to the north of the application site.

Reason: To safeguard the trees to be retained.

6. Prior to the occupation of the development, details of biodiversity enhancement measures shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied or brought into use until the approved measures have been installed in accordance with the approved details. These measures shall include the following:

Bat bricks and/or tubes within the new development
Bird boxes
Native tree and shrub planting

Reason: For maintenance and enhancement of biodiversity.

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

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

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

Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.

9. 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.

10. No works to trees or shrubs shall occur between the 1st March and 31st August in any year unless a bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the Local Planning Authority.

Reason: To ensure breeding birds are protected during construction.

11. Prior to any earthworks a method statement detailing eradication and/or control and/or avoidance measures for Rhododendron should be supplied to and agreed in writing to the Local Planning Authority. The agreed method statement shall be adhered to and implemented in full unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid the spread of invasive species.

12. Prior to the commencement of development, details of a sustainable surface water drainage scheme and a foul water drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. The drainage schemes must include:

- (i) A restricted rate of discharge of surface water agreed with the Local Planning Authority (if it is agreed that infiltration is discounted by the investigations);
- (ii) Levels of the proposed drainage systems including proposed ground and finished floor levels in AOD;
- (iii) Incorporate mitigation measures to manage the risk of sewer surcharge to the proposed development; and
- (vi) Foul and surface water shall drain on separate systems.

The approved schemes shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and no surface water shall discharge to the public sewer either directly or indirectly in accordance with the Proposed Drainage Layout received by the council by email on 2 September 2020. Prior to occupation of the proposed development, the drainage schemes shall be completed in accordance with the approved details and retained thereafter for the lifetime of the development.

Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

13. Prior to the commencement of development, a Construction Method Statement should be submitted and approved in writing by the Local Planning Authority. The statement shall outline the potential impacts/ risks from all construction activities and detail any necessary protection measures for the existing raw water main and any associated apparatus that will be required for both construction phase and the lifetime of the development, with particular regard to the prevention of water pollution, changing land levels, vibration, disturbance and health and safety considerations. Protection measures should be in line with the guidance found within United Utilities Standard Conditions for works adjacent to Pipelines (dated July 2015). All mitigation measures must be implemented in accordance with the approved details.

Reason: In order to protect the existing UU infrastructure and public drinking water supplies for the wider area.

14. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plan and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

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

15. For the full period of construction, facilities 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. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

16. Prior to the erection of the superstructure of the dwellings hereby approved, details shall be submitted to and approved in writing by the Local Planning Authority of privacy screens to be erected to the sides of each balcony. No dwelling shall be occupied until the privacy screens as shown in the approved details have been erected. The privacy screens shall be retained at all times thereafter unless otherwise agreed in writing with the Local Planning Authority.

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

17. All windows in the north and south facing elevations of the approved dwellings shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the Local Planning Authority.

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

18. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(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.