

Item 8 09/00714/FULMAJ Permit Full Planning Permission

Case Officer Mrs Nicola Hopkins

Ward Adlington & Anderton

Proposal Erection of 37 affordable dwellings with external amenity space and off street parking at Fairview Farm, Adlington

Location Land Adj Fairview Farm (incl Land Bounded By Chorley Rd Eller Brook And Railway) Chorley Road Adlington

Applicant Mr John Wright

27 letters of objection have been received
Consultation expiry: 13th October 2009
Application expiry: 15th December 2009

Proposal The application relates to the erection of 37 affordable dwellings at the Fairview Farm development in Adlington. Planning permission was granted in November 1999 for the redevelopment of the Fairview Farm site. This dwellinghouses and community centre approved by this permission have now been completed. This affordable housing parcel formed part of the original approval however is has been retained for the provision of affordable housing

The Council owned the whole site which was sold to Westbury Homes (now Persimmon Homes) who developed the main part of the site. The part of the site subject to this application, however, was retained in Council ownership and allocated for affordable housing provision. For the past few years the Council has been working with Places for People who are the Registered Social Landlord who will provide the affordable housing on this site.

Summary The principle of redeveloping this parcel of land for affordable housing was established with the grant of outline planning permission in 1999. The proposal will contribute to the Council's supply of affordable housing and is considered to be the most appropriate use of the land.

Planning Policy **National Polices:**
PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

Circular 05/2005 Planning Obligations

North West Regional Spatial Strategy:
Policy DP1: Spatial Principles
Policy DP4: Make the best use of Existing Resources and Infrastructure
Policy DP7: Promote Environmental Quality
Policy RDF1: Spatial Priorities
Policy L4: Regional Housing Provision
Policy L5: Affordable Housing
Policy RT9: Walking and Cycling
Policy EM1: Integrated Enhancement and Protection of the Region's Environmental Assets
Policy EM5: Integrated Water Management

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

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS21: Playing Space Requirements

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Sustainable Resources Development Plan Document

Statement of Community Involvement

Planning History

95/00322/OUT- Outline application for the erection of factory with ancillary warehouse, offices, service yard, car park together with site access road and roundabout junction works on Chorley Road. Refused August 1995

98/00660/CO4- Regulation 4 outline application for residential development, associated open space and multi-functional community building. Approved November 1999

01/00120/REM- Reserved matters application for 176 houses, multi-functional community building and five-a-side pitch and all associated works. Approved August 2001

01/00145/FUL- Construction of roundabout and new access off Chorley Road & modification of conditions 21 & 12 of outline permission 9/98/660 to allow the alternative access and to prevent access from The Avenue. Permitted August 2001

02/00082/FUL- Construction of new roundabout and new access off Chorley Road and modification of condition 21 of outline permission 9/98/660 (alternative to permission 9/01/145). Withdrawn

02/00291/ADV- Display of non-illuminated signs. Advertisement consent granted May 2002

02/00523/TPO- Felling of tree T2 (adjacent to Chorley Road) covered by TPO 17 (Adlington) 1991. Refused August 2002

02/01165/FUL- Substitution of house type on plot 358. Refused January 2003

03/00010/TPO- Pruning of T2 (Beech) Tree covered by Tree Preservation Order No. 17 (Adlington) 1991, to reduce by 20% the two main branches over Chorley Road and remove all major deadwood from the tree crown. Approved April 2003

03/00062/FULMAJ- Substitution of houses on plots 88-122, with 26 dwellings instead of 34 dwellings. Approved September 2003

03/00186/FUL- Re-siting of 2 dwellings at plots 147 and 148. Approved August 2003.

03/00643/FUL- Erection of community centre, equipped play area, playing pitch, access road and car parking. Approved August 2003

04/00217/FUL- Amendment of house type to include rear conservatory. Approved April 2004

04/00629/FUL- Revision to Planning Permission 9/98/660/CO4 by modification of condition 4 to change public open space (Area 6) from equipped play space to a landscaped park. Pending decision

Applicant's Case

The following points have been submitted in support of the application:

- The combined objectives of the development of this site are:
 - To provide new, quality housing to satisfy identified need within the area of Adlington
 - To provide development that has high standards of environmental sustainability and urban design and that integrates well with the existing residential area

Representations

Adlington Town Council welcomes this development of affordable housing but have some concerns in respect of :

- Drainage
- Ground levels
- Bats
- Trees
- Access

27 letters of objection have been received raising the following points:

- Impact on highway safety- access roads are very narrow
- Additional traffic
- Damage to properties- crime and safety issues
- No benefit to the community
- Impact on bats and loss of trees
- Extra noise and disruption
- Affordable housing- de-value existing properties
- Loss of light and loss of privacy
- Design out of keeping with the neighbouring development
- Loss of open space which is used for play
- Lead to anti-social behaviour
- Flooding
- Too many properties
- Parking problems
- Will not be truly affordable
- No need for affordable housing
- Impact on community facilities

Consultations

Corporate Director (Neighbourhoods) has no objection subject to various conditions/ informatives

Lancashire County Council (Archaeology) have suggested a condition in respect of archaeological investigation

Lancashire County Council (Ecology) initially made comments in particular in respect of incorporating the recommendations of the ecology survey and bat survey reports into the scheme and providing compensation for the loss of the stream habitat and bat foraging habitat.

Following the receipt of amended landscape plans and additional ecological information the Ecologist has confirmed that the new proposals are an improvement on what was originally submitted. However there would still be a loss of biodiversity value.

The Council's Architectural Liaison Officer has commented in respect of Secure by Design and has confirmed that the applicant has to have 'Secured by Design' status for the development in order to secure the available grants.

The Environment Agency initially objected to the scheme as the proposal would lead to the destruction of the watercourse and have a detrimental impact on biodiversity. There is no evidence of any safeguards or compensatory measures for the loss of the watercourse

Following the receipt of the amended landscaping details and additional ecological information the Environment Agency removed their objection. This is subject to various conditions.

Lancashire County Council (Education) requested a contribution to education facilities to accommodate a deficit in primary school places however they have confirmed that there is not a current shortfall

Lancashire County Council (Planning Contributions) have made a request in respect of S106 contributions

The Council's Arboricultural Officer has commented in respect of the trees on site

Central Lancashire PCT have commented in respect of health care facilities in the area.

Strategic Housing have commented on the affordable housing mix

United Utilities have no objection to the scheme subject to various conditions/ informatives

Assessment

Principle of the Development

The site is currently a vacant piece of land which was previously used as agricultural land associated with Fairview Farm. The site is allocated within the Local Plan under Policy HS1.1, which is a saved Planning Policy, for housing development. When outline planning permission was granted for the redevelopment of the whole site in November 1999 the approval incorporated the affordable housing parcel. The subsequent reserved matters application did not incorporate the affordable housing parcel as ownership of this site was retained by the Council to ensure that a Registered Social Landlord (RSL) could provide affordable dwellings on the site. The site has now been sold to Places for People

Additionally the Section 106 Agreement associated with the development requires the developers of the main site to provide the affordable housing parcel with appropriate services and connections.

The principle of developing the site for housing was established with the grant of outline planning permission in 1999. Although the time period for submitting reserved matters has expired, hence why this is a full application, the principle still exists and this site has always been envisaged to be the affordable housing element of the Fairview Farm site.

Proposed Development

The proposed development incorporates the erection of 37 affordable dwellings adjacent to Fairview Farm, Adlington. The site covers 1.19 hectares which equates to approximately 31 dwellings per hectare. This density accords with Government advice contained in PPG3: Housing and will be in keeping with the character of the area.

All the dwellings proposed will be 2 stories high. 30 houses will be made available for rent which are split between 11 two bedroom dwellings and 19 three bedroom dwellings. The remaining seven will be available as intermediate accommodation which are split between 4 two bedroom dwellings and 3 three bedroom dwellings. The scheme incorporates a mixture of detached, semi-detached and terraced dwellings.

Strategic Housing have confirmed that the above mix has been previously agreed with Places for People and the mix is appropriate in respect of need within the area.

The development is being funded mainly through Government funding sources. £1.085 million grant funding has been secured from the Homes and Community Agency (HCA). £577,000 recycled grant funding from Places for People will be utilised and an additional £500,000 is being secured as this is required for changes to the proposed tenures of the dwellings.

Impact on Services

Lancashire County Council have requested Section 106 contributions in respect of waste management and education facilities. The letter submitted by LCC requests £143,407 to provide 13 primary school places. As Chorley Council have not signed up to the County's contribution paper further justification was requested from the Education Authority in respect of this request particularly as this is an affordable housing scheme which would be seriously hindered from a financial viability perspective if an obligation this high was attached to the land.

The Education Authority (LEA) have confirmed that there is not an existing deficit in primary school places within a 2 mile radius of the application site although in the future, 2013/2014, there will be. Circular 05/2005 sets out the five tests which are required to be met when requesting planning obligations. Two of the tests 'necessary to make the proposed development acceptable in planning terms' and 'directly related to the proposed development' are particularly pertinent to this request.

Firstly, as the LEA have confirmed there is not a current deficit of primary school places within the area and the deficit in places will not occur until 2013/14. As such the primary school places deficit is not directly related to this development. Secondly, no evidence has been provided as to where the contribution will be utilised and as such the request is not directly related to the proposed development. As such the request does not meet the tests of the Circular and cannot be requested as a planning contribution.

Additionally this is a relatively small scheme. Taking into account the number of children this scheme could realistically generate and the fact that there is currently a surplus in primary school places it is not justified to refuse the application on lack of education provision.

This scheme will provide a much needed proportion of affordable housing within the Borough which is both a National and Corporate priority. The majority of funding for this scheme will be secured through Government funding (HCA Grant) and any further requests for financial contributions would detrimentally impact on the deliverability of this scheme and would reduce the amount of Government funding available for affordable housing.

In respect of health care provision in the area Central Lancashire PCT have confirmed that both GP surgeries in Adlington currently have spare capacity to take on the proposed increase in patient numbers and therefore the addition of 37 dwellings would not have an adverse impact on health facilities in this area.

The request from LCC for a S106 contribution for waste management has not been fully justified and as such it is not considered that such a request would meet the tests of the Circular.

Design and Layout

The proposal incorporates the erection of 37 two storey family dwellings. This proposal comprises of detached, semi-detached and terraced properties. The design of the properties incorporate modern dwellings with projecting window details, non-standard window treatments and projecting front elements. This design solution is considered appropriate for this site as it will provide an alternative housing style within the area and the fact that the site is accessed via a relatively new modern housing estate ensures that the properties will not be out of character although these are more modern interpretations than those found on the main Fairview site.

There are two vehicular access points to this site, the main one is via Fairview Drive (through the main site) with a vehicular access serving 4 of the proposed dwellings off Farm Avenue. When the scheme was originally submitted the dwellings served off Farm Avenue fronted Farm Avenue and backed onto the adjacent Environmental Area. Through discussions with the Council the scheme has been amended so that these dwellings front onto the Environmental Area. Additionally the houses on plots 27 and 28 have been amended to accommodate windows/ features within the side elevations. Plot 21 has been resited to front onto this area. This provides natural surveillance/ overlooking to the Environmental Area along with providing visual interest on these prominent elevations.

Levels

There are various levels across the site with a level drop of approximately 10 metres from the north-east boundary of the site to the south-west boundary of the site. The submitted layout plan incorporates the proposed finished floor levels of the proposed and existing dwellings.

The properties on Fairview Drive along the northern boundary of the site are slightly higher than the proposed dwellings however this difference does not exceed 0.5 metres and the dwellings accord with and exceed the Council's approved spacing distances.

The properties on The Avenue to the east of the site are sited at a higher land level than the proposed dwellings. 32 The Avenue is located to the rear of plot 33 however in excess of 14 metres is retained between the rear of the proposed dwelling and the main side elevation of this property. The properties on Carlisle Place to the north east of the are approximately 1.5 metres higher than the proposed dwellings. 21 metres is retained between the side elevation of the proposed dwellings and the rear of the properties on Carlisle Place. This significantly exceeds the required 12 metres and as such takes into account the level difference.

The main level difference occurs along the southern boundary of the site. In this location the proposed dwellings are approximately 2 metres higher than the existing dwellings on Field Rose Court and Meadow View. The properties which are directly behind the existing dwellings are the properties on Plots 1-3 and these are directly to the rear of 11-16 Field Rose Court. Where properties are back to back in excess of 21 metres (approximately 24.5 metres) is retained. Plot 1 is at a 90 degree angle to 16 Field Rose Court and retains 14 metres from the rear elevation to the side elevation. Where there are level differences greater spacing distances are required. The proposed spacing distances do not strictly accord with the increased guidelines however to accord with the guidelines the properties would be a lot further away from the boundary, would have very large garden areas and would not constitute the most appropriate use of land. Therefore the proposal would not accord with the key principles set out in PPS1: Delivering Sustainable Development which include promoting efficient use of land through higher densities. It is considered that the spacing distance is adequate and will maintain the amenities of the existing and future residents.

These spacing distances also apply internally within the site taking into consideration the amenities of the future residents. The only part of the site where this is an issue is the relationship between the rear elevation of plots 10 & 11 and the side elevation of plot 13. There is 12 metres retained between these dwellings which accords with the Council's spacing standards. Due to the level differences greater spacing would usually be required however as this difference is internally within the site the future occupiers will be aware of the difference and the impact on the residents will be minimal.

Highways and Parking

When outline planning permission was originally granted for the redevelopment of the whole site access to the affordable housing

parcel was proposed to be via The Avenue and there would be no vehicular access between the main site and the affordable housing parcel. This was secured via condition 12 of the original outline approval.

In 2001 Westbury Homes, the original Developers of the site, applied to modify condition 12 of original permission to allow an alternative access and to prevent access from The Avenue. This application was approved and conditioned restricting no vehicular access to The Avenue. It was determined that it was more appropriate to access the affordable housing through the main housing site.

The submitted scheme incorporates the main vehicular access to the site via Fairview Drive although a secondary vehicular access will be achieved within the eastern corner of the site via Farm Avenue. This vehicular access will however only serve 4 of the proposed dwellings.

The main vehicular access to the site continues the carriageway which currently serves the main site. The carriageway is 5 metres wide with 1.75 metre wide footways on either side. Turning facilities are provided and it appears that it is intended for the main carriageway to be adopted. Comments are awaited from the Highway Authority in respect of this site however the Highway Engineer has been involved in this scheme at pre-application stage and the scheme was amended in line with the Highway Engineer's comments.

Parts of the site, mainly those serving parking courts and the vehicular access off Farm Avenue, will not be adopted and will be privately managed by Places for People.

The scheme incorporates two and three bedroom properties and as such there is a requirement of 2 parking spaces per dwelling. All of the properties incorporate off road driveways (no garages are proposed). To ensure that adequate space is provided a minimum of 5 metre long and 2.4 metre wide spaces have been provided

Within the eastern section of the site the four dwellings served off Farm Avenue incorporate both in curtilage and adjacent to curtilage parking. This parking arrangement has resulted from the negotiated changes to this part of the site which are set out above. The in curtilage parking results in a reduction in the amount of private garden space associated with the dwellinghouses. In curtilage parking is required to ensure that the scheme meets Secure by Design principles. Parking needs to be overlooked, for crime and safety reasons, and if the parking was outside the curtilage of the property overlooking would be hindered by the boundary treatment. Alternative solutions were suggested which included gating the vehicular access to these properties with only residents having access which would create a secure parking area. This however was discounted as it would create management issues for Places for People. It is considered that in curtilage parking provides a safe provision and although the gardens will be reduced in size the occupiers will have an element of private garden space. As such the proposed layout is considered to be acceptable.

Ecology

The site has been left undeveloped for a number of years and consists of mature trees, scrub/ vegetation and a stream which runs through the site. There was originally a derelict barn on the site which has been demolished. Due to the varying habitats across the site the applicants have commissioned an Ecological Survey which forms part of this submission.

Both the Ecologist at Lancashire County Council and the Environment Agency have reviewed this document and have raised concerns in respect of loss of foraging opportunities for bats, breeding birds, Japanese knotweed, loss of hedgerows and compensation for the loss of aquatic habitats on the site. Both statutory consultees are concerned that the proposals will have a detrimental impact on biodiversity and need to be satisfied that the proposed compensation/ mitigation ensures that there will not be a net loss to the biodiversity value of this site.

Through discussions with the applicants, their agents, the Ecologist, the Environment Agency and the Ecologists appointed by the applicants solutions have been considered to overcome the concerns raised. The proposed landscaping of the site has been amended to try and alleviate the concerns raised. The amended plan and update on the Ecology report have been forwarded to both the Ecologist at LCC and the Environment Agency.

The Ecologist at LCC has confirmed that the proposals are an improvement on what was originally submitted and as much as possible has been incorporated in respect of the site layout. The Ecologist still has concerns, however, that there would be a loss of biodiversity value as a result of the proposals. This is largely due to the site becoming increasingly valuable for biodiversity with increasing time since abandonment from agriculture.

This site has been left undeveloped for a number of years hence why the site has regenerated and now has a biodiversity value. If the site had been redeveloped at the same time as the rest of Fairview Farm the site would have had a low biodiversity value. The scheme incorporates environmental areas, a pond, bat boxes attached to the dwellings and new tree planting throughout the site. It is considered that the scheme incorporates features which compensate for the loss of aquatic habitat and provide foraging habitats for bats.

Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:

- 1) the activity must be for imperative reasons of overriding public interest of for public health and safety;
- 2) there must be no satisfactory alternative and
- 3) favourable conservation status of the species must be maintained.

This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.

The only protected species identified at this site which the scheme has the potential to impact on is bats. According to the submitted ecology report at least one of the bat boxes on the site may be in use by bats. The bat survey report also confirmed that habitats on site (e.g. mature trees and tree line, grassland, stream and scrub) provide foraging opportunities for bats roosting outwith the application area.

The proposed scheme is considered to be the most efficient and effective use of the site and will provide affordable housing. The submitted Ecology report incorporates mitigation proposals which will be secured via condition and the amended landscape proposals ensure that foraging opportunities for bats are provided to compensate for the loss of the existing habitats. It is considered that implementation of the recommended proposals ensure that there are not significant impacts on the conservation status of the bat population locally.

Trees

There are several mature trees across the site which are protected by Tree Preservation Order 2 (Adlington) 2000. The majority of trees are to be retained as part of the scheme and will be located either within the garden areas of the properties or within public open space areas.

Two of the trees however are proposed for removal including Tree T4, which is a Sycamore Tree, and Tree T5, which is a Beech tree. The Council's Arboricultural Officer has reviewed the proposals and the submitted Tree Assessment. He has confirmed that tree T4 has a rotten base and is unsafe, as such its removal is justified. The Arboricultural Officer has raised concerns with the removal of Tree T5 which is fully mature, in good health and there is no arboricultural reason for the loss of this imposing, healthy tree. The scheme has been assessed to consider whether this tree could be retained however the retention of the tree would not be possible in respect of the proposed layout and if it was retained is unlikely to be maintained during the construction phase.

To mitigate for the loss of this tree it is proposed to incorporate new tree planting across the whole site as part of the landscaping scheme. Additionally heavy standard Alders will be planted within Environmental Area I to compensate for the loss. Alders are native species which the Arboricultural Officer is satisfied will adequately compensate for the loss of the Beech Tree.

Community Consultation

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting the formal application. This included a 'Drop In' session at Fairview Youth and Community Centre. Both residents and Council's were invited to the event and offered the opportunity to comment on the scheme.

The event was attended by over 44 people and at the event the proposals were explained to the attendees and their questions answered. A comments sheet was provided to each attendee and Places for People are currently in the process of responding to each of the queries. A copy of these responses will be made

available to the Council. The applicants have stated that the queries can be resolved and will not result in amendments to the scheme.

Contamination

The applicants have commissioned a Phase 1 Desk Study in respect of land contamination at the site which forms part of the submission. The Council's Waste & Contaminated Land Officer has reviewed this document and has suggested conditions in respect of additional requirements for the site. These will be attached to the recommendation.

Drainage

A number of concerns have been raised in respect of drainage at the site. The amended landscaping plan proposes to re-route the ditch to intercept surface water from site discharges into a proposed pond and overflows will be diverted via a silt trap into the main surface water drain.

The water course through the site will be culverted. United Utilities and the Environment Agency have not raised any concerns in respect of drainage and it is considered that adequate drainage facilities can be accommodated on the site.

The Council's Enforcement Officer and Principal Building Control Officer has looked into the issue of services to the site and have confirmed that suitable connections including electricity, gas and water are provided to the site.

Response to the Neighbours Concerns

As set out above there have been several letters of objection raising various concerns. A lot of these issues are set out within the body of the report. In respect of highway safety the scheme utilises existing residential roads which are suitable for residential traffic. The scheme incorporates adequate parking for the size of dwellings proposed and although comments are awaited from the Highway Engineer he has been involved with this scheme at pre-application stage.

In respect of the impact on wildlife and ecology as set out above concerns were raised initially however the landscaping has been amended and it is considered that the bat population in the area will be maintained and not adversely impacted on by the proposed development.

This site was always retained as the affordable housing parcel associated with the Fairview Farm development and was never envisaged as being retained as open space. The site will be owned by Places for People which is a Registered Social Landlord and the properties will be managed and maintained as affordable houses available for rent/ intermediate ownership for people identified on the Council's Housing Need register. There is a significant need for affordable housing within the Borough which this scheme will contribute to resolving.

As set out above it is not considered that the proposals will adversely impact on the amenities of the existing or future residents. De-valuation of properties is not a material planning consideration. As set out previously there is not a current deficit in school places within Adlington. The Community Centre and

outdoor play facilities constructed as part of the Fairview development will also benefit the residents of this scheme as when the redevelopment of this site was considered this consideration included this parcel of land.

Conclusion The principle of developing this site for affordable housing was established over 10 years ago. The proposals represent the most efficient and effective use of this site taking into account the constraints.

Recommendation: Permit Full Planning Permission 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. 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.

3. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. 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. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

5. 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 the Environmental Areas and private parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements.

Reason: To ensure the satisfactory management of the private driveways and Environmental Areas at the site and in accordance with Policies GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.

6. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

7. Prior to the commencement of the development a site investigation and risk assessment for landfill gas shall be undertaken at the site. The results of the investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority in the form of a Site Investigation Report. Thereafter the development shall be carried out in accordance with the recommended precautionary measures set out within the report unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

8. Prior to the commencement of the development a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures, shall be submitted to and approved in writing by the Local Planning Authority. The report should include an initial desk study, site walkover and risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken including details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

Reason: In the interests of safety and in accordance with Government advice contained in PPS23: Planning and Pollution Control

9. 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 interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

10. The existing soil levels around the base of the trees to be retained shall not be altered.

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

11. 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 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.

12. Prior to the felling of any trees the bat boxes shall be surveyed to identify the potential for current usage. If bat usage is identified then the tree shall not be felled until full mitigation measures to ensure the continued protection of this bat roost 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 details.

Reason: To ensure the continued protection of a protected species. In accordance with Policy EP4 and Government advice contained in PPS9.

13. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

14. Prior to the commencement of the development a habitat creation/enhancement and management plan shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of replacement bird breeding habitat, bat foraging habitat, stream habitat and native tree planting. Thereafter the approved management plan shall be implemented in full.

Reason: To ensure that the retained and established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy EM1 of the North West Regional Spatial Strategy.

15. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

16. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

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

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

18. The in curtilage parking spaces at plots 22-25 shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy RT2 of the North West Regional Spatial Strategy 2008.

19. Prior to the commencement of the development, details of the proposed new drainage ditch shall be submitted to and approved in writing by the Local Planning Authority. The details shall show how the new watercourse will be designed so as to replicate a natural feature as far as is possible. The ditch thereafter shall be constructed in accordance with the approved details.

Reason: To ensure that a varied range of habitats are provided on the site to compensate for the loss of habitats as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

20. Prior to the commencement of the development details of the proposed pond, including a maintenance scheme, shall be submitted to and approved in writing by the Local Planning Authority. The pond thereafter shall be constructed in accordance with the approved details.

Reason: To enhance the conservation and biodiversity value of the site and to provide wildlife habitats to compensate for the loss of biodiversity as a result of the development. In accordance with Government advice contained in Planning Policy Statement 9: Biodiversity and Geological Conservation

21. No development approved by this permission shall be commenced until a surface water drainage strategy (including attenuation of surface discharges from the development to existing 'greenfield rates') has been submitted to and approved in writing by the Local Planning Authority. The surface water drainage scheme shall be completed in accordance with the approved strategy.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and in accordance with Government advice contained in PPS25 Development and Flood Risk

22. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to and approved in writing by the Local Planning Authority. 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 in accordance with policy SR1 of the Sustainable Resources DPD. 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 and Supplementary Planning Document.

23. Prior to the commencement of the development a scheme which demonstrates and provides full details of how the design and layout of the buildings will withstand climate change shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed Code for Sustainable Homes Level, how the proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 1st January 2010 will be required to meet Code Level 3 of the Codes for Sustainable Homes. The approved details shall be fully 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 accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policies EM16 and EM17 of the North West Regional Spatial Strategy and Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

24. Prior to the commencement of the development full details of the bridge structure, required to allow access between plots 27 and 28, shall be submitted to and approved in writing by the Local Planning Authority. The bridge thereafter shall be constructed in accordance with the approved details.

Reason: In the interests of the visual amenities and proper development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
