

Item 3 **09/00802/OUTMAJ** **Permit (Subject to Legal agreement)**

Case Officer **Mrs Nicola Hopkins**

Ward **Eccleston And Mawdesley**

Proposal **Outline application for the erection of 70 dwelling houses with associated roads and open spaces**

Location **Pontins Ltd Sagar House Langton Brow EcclestonChorley**

Applicant **Northern Trust Company Ltd**

208 letters of objection have been received
Consultation expiry: 6th January 2010
Application expiry: 26th January 2010

Proposal The application relates to an outline application for the proposed residential redevelopment of Sagar House, Eccleston. This outline application relates to the principle of redeveloping the site for upto 70 new dwellinghouses and the proposed vehicular access arrangements. Matters relating to layout, design and landscaping will be dealt with at reserved matters stage in the event that outline planning permission is granted.

The site is occupied by Sagar House which is a 2 storey, 1,724 sqm office building. Planning permission was granted for the office building in 1965 (5/5/5189) however the building has been vacant since February 2008.

The site is 2.73 hectares in size. The erection of 70 dwellings on the site equates to a density of approximately 26 dwellings per hectare which is below the recommended 30 dwellings per hectare within PPS3 however is considered to an appropriate density within this area. Part of the site falls to be considered brownfield land, the land which houses the office building, gate house, access road and car parking areas.

The area of land located to the south east of the built development is open land which was separated from the brownfield land by a row of trees and a hedgerow. These trees and hedgerow were removed in 2008 following the building being vacated and this land did not form part of the curtilage of the built development. As such this land falls to be considered 'greenfield' land. The priority for new housing developments set out within PPS3 is previously developed land however achieving housing is suitable, sustainable locations is also a priority.

Summary The proposals accord with National, Regional and Local Planning Policy and as such the scheme is considered to be acceptable. The previous reasons for refusal have been addressed and as such the scheme is now considered to be acceptable.

Amendments The previous application was refused as it was not considered that it had been adequately demonstrated that 82 dwellings could be accommodated on site taking into account the Council's spacing standards and concerns from the Highway Engineer. The current scheme has reduced the number of dwellings on the site

and it is now considered that the illustrative layout adequately demonstrates that 70 dwellings can be accommodated on the site whilst protecting the amenities of the future and existing residents and ensuring that a suitable adopted highway can be achieved to serve the properties.

The other reason for refusal relates to Ecological impacts. Following the previous decision the applicants have undertaken future work in this regard and discussed the proposals with the relevant consultees. Although initial concerns were raised by the Ecologist in respect of this application these have now been addressed and it is considered that the Ecological implications can adequately be addressed by condition.

Planning Policy

National Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25

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 RDF2: Rural Areas

Policy W3: Supply of Employment Land

Policy L4: Regional Housing Provision

Policy L5: Affordable Housing

Policy RT9: Walking and Cycling

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:

GN3: Settlement Policy- Ecclestone

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

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

HT10: Locally Important Buildings

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

HS8: Local Needs Housing within Rural Settlements excluded from Green Belt

EM4: Protection of Employment Sites in Rural Settlements

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

LT14: Public, Private, Educational and Institutional Playing Fields, Parks and Other Recreational Open Space

Statement of Community Involvement

Local Development Framework:

Policy SR1: Incorporating Sustainable Resources into New

Planning History

5/5/5189- Administrative and Executive Building. Approved 1965

5/5/5722- Gateway and entrance driveway to office block.
Approved 1966

80/00730- Extension for document storage. Approved August
1980

87/00450- Alterations to form (internal) extension to ground floor
only for offices/ plant rooms. Approved

89/00014/OUT- Outline application for the erection of a two storey
office block. Approved 1991

94/00364/OUT- Renewal of outline planning permission 9/89/14
dated 2.07.1991 for 2-storey office block. Approved April 1995

08/01244/OUTMAJ- Outline application for the erection of 82
dwellings and associated roads and open space. Withdrawn

09/00146/OUTMAJ- Outline application for the erection of 82
dwellings and associated roads and open space. Refused for the
following reasons:

1. The application cannot be fully assessed due to the provision of insufficient information. Natural England and Ecological advice from Lancashire County Council recommends that a decision cannot be made without the provision of an updated Great Crested Newt Survey. This document has not been submitted and the applicant was aware of the requirement prior to the submission of this application. These details have not been submitted and the application cannot be fully assessed within the prescribed time limits. As such the proposal is contrary to Government advice contained in PPS9: Biodiversity and Geological Conservation and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

2. The submitted illustrative layout plan does not adequately demonstrate that 82 dwellings can be accommodated on the site whilst protecting the amenities of the existing and future residents. The scheme does not accord with the Council's Spacing standards set out within the Adopted Householder Design Guidance Supplementary Planning Document. Additionally the highway layout is not considered acceptable in terms of highway safety which necessitates the need for amendments to the layout which may impact on the number of dwellings which can be accommodated on the site. As such the proposal is contrary to Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.

Adjacent site (Lord Street/ New Street):

02/00381/OUTMAJ- Outline application for residential
development consisting of 19 dwellings. Refused August 2002.
Allowed on Appeal

04/00297/FULMAJ- Erection of 19 dwellings with associated highway and drainage works. Approved September 2004

05/00073/FULMAJ- Erection of 16 No affordable housing units, (2 and 3 bedrooms) with associated parking and landscaping. Approved January 2006

Applicant's Case

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

- The site is sustainably located within the built up residential area of Eccleston
- The proposals would create an opportunity to undertake an appropriate and efficient re-use of the site thereby avoiding any continued physical and visual deterioration of the longstanding vacant premises.
- The proposals would provide a well design housing layout which would respect the general amenities of the surrounding residential area whilst providing a wide range and mix of varied house types including a significant proportion of affordable housing
- Matters relating to Great Crested Newts and other protected species have been fully addressed
- The amended layout and additional information address all of the previous reasons for refusal

Representations

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

- Impact on local services
- Building on Green Belt land
- 2.5 storey houses out of character with the Village
- Impact on highway infrastructure
- No housing need
- Highway safety concerns
- Concerns over the capacity of the drainage infrastructure
- Impact on trees, wildlife and hedgerows
- Flooding
- Will houses be strictly 'affordable'?
- Issues with levels between the site and the surrounding properties
- Overlooking, loss of light, loss of privacy
- Parking issues
- Loss of employment site
- Increase car journeys- unsustainable location
- Too many new housing developments in Eccleston
- Safety of children
- Too many houses
- Loss of privacy and security to the church house

Consultations

Lancashire County Council (Ecology) have commented on the application and requested clarification in respect of the width of the habitat areas to be retained at the boundaries of the proposed development.

Following further correspondence between the Ecologist and the agent for the application the Ecologist has provided further comments which are set out within the body of the report.

Lancashire County Council (Strategic Planning) considers the proposal conforms with the North West RSS. They have also commented on housing, transport, minerals & waste, ecology and renewable energy.

The Environment Agency have requested clarification in respect of surface water discharge and have suggested several conditions/ informatives.

The Architectural Design and Crime Reduction Advisor has suggested various conditions

Chorley's Conservation Officer considers that the proposals are contrary to Policy HT10 of the Local Plan

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

United Utilities have no objection subject to various conditions/ informatives

Lancashire County Council (Highways) have commented on the scheme. Following the receipt of the amended illustrative layout further comments have been received.

Chorley's Waste & Contaminated Land Officer has commented on waste collection at the site

Lancashire County Council (Education) has commented on the application

Assessment

Principle of the Development

In accordance with PPS3 previously developed land is land that is or was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. Part of the site where the office building, gate house, access road and parking is located falls within this definition. However part of the site, to the south east of the office building, is an open field which has not previously developed and was, until 2008, separated from the main site by a tree and hedge row. Additionally when planning permission was granted in 1965 for the office building this area of the site did not form part of the planning application and as such did not form part of the planning unit/ curtilage. As such this part of the site falls to be considered 'greenfield' land. The priority for new housing developments set out within PPS3 is previously developed land. In principle redeveloping brownfield land is considered to be acceptable however the principle of redeveloping greenfield land is not established.

As the site is located within the Village of Eccleston Policy GN3 of the Adopted Local Plan is a material planning consideration. The Policy restricts development within Eccleston to the following criterion:

- (a) The development and redevelopment of land wholly within the existing built-up extent of the settlement;
- (b) The use of infill sites;
- (c) The re-use of previously developed land, bearing in mind the scale of any proposed development in relation to its surroundings

- and the sustainability of the location;
- (d) The rehabilitation and reuse of buildings;
- (e) That which provides affordable housing to meet a recognised local housing need in accordance with Policy HS8; or
- (f) That which meets a particular local community or employment need

The redevelopment of the brownfield area of land accords with criterion c of this Policy. In respect of the greenfield area of land although the site falls within the defined settlement boundary of Ecclestone it is not considered that that the site is wholly within the existing built-up extent of the settlement. As such in order for the redevelopment of the 'greenfield' site to accord with this Policy the scheme will have to meet the requirements of criterion e and Policy HS8.

Policy HS8 requires residential development of open land within a rural settlement excluded from the Green Belt will be restricted to schemes which would significantly contribute to the solution of a recognised local housing problem. It is considered that in order to comply with this Policy to 'greenfield' element of the proposal will be required to provide 50% affordable housing.

Employment Land

Due to the previous use of the 'brownfield' part of the site the site falls to be considered under Policy EM4 of the Local Plan as Employment Land within a rural settlement. In accordance with Policy EM4 an assessment is made into whether the site is suitable of being re-used for employment purposes. Sites which are identified as suitable are required to be marketed for employment purposes if the proposal is for a non-employment use.

The site has been marketed since February 2008 as an office building. Details of the marketing undertaken have been submitted as part of the planning application. The marketing included advertisements in the local press, adverts on various web-site, boards on site and the details were sent to various agents active in the Chorley and Ecclestone area.

All enquiries received are summarised within the submitted documentation and include residential redevelopment and redevelopment for a care home. No enquiries were received for an employment development of the site.

The site has been classified as Good Urban in the Employment Land Review. In accordance with this classification, Policy EM4 of the Local Plan Review and associated Supplementary Planning Guidance (SPG) it would be preferable to retain employment use on the site, or mixed uses on the site, incorporating employment re-use.

These premises have been vacant since February 2008 and have been marketed since the 14th of February 2008. It appears that the marketing undertaken broadly complies with the requirements in the SPG. However, the advertising board on site states 'all enquiries', which does not restrict potential purchasers to a particular use of the site. Advertising has taken place in the press, the property is listed on the agent's website and on the 'Make it

Lancashire' website and mails shots have been sent out. The offices have been offered leasehold and offers also invited for the freehold. The information submitted with the application indicates that the only interest in the site has been for its redevelopment for residential, or care home, purposes. It would appear that the applicant can demonstrate that this proposal accords with the requirements of criteria a) and criteria b) of Policy EM4. As such it is considered that the provisions of the Policy have been met and an employment re-use cannot be achieved on the site.

Housing Development

As set out earlier within the report redevelopment of the brownfield part of the site for residential purposes is considered to be appropriate and if a minimum of 50% affordable housing is incorporated on the greenfield part of the site then the proposal will comply with the provisions of Policy HS8 of the Adopted Chorley Borough Local Plan Review.

This application is an outline proposal with only access and the principle of redeveloping the site for housing being considered. In the event that outline planning permission is granted a reserved matters planning application will be required dealing with siting, design and landscaping. This notwithstanding however a indicative layout plan has been submitted with the application, this has been submitted to demonstrate that 70 dwellings, as proposed, can be accommodated on the site.

The indicative plan demonstrates a range of properties including 2, 3 and 4 bedroom dwellings on 1 and 2 storeys in a variety of built forms. This is wholly indicative at this stage and a detailed layout plan will be submitted at reserved matters stage

When assessing the indicative layout the impact of proposed development on the existing and future residents is a consideration. The Council has approved spacing standards which are set out to ensure the neighbours and residents amenities are protected. These are 21 metres window to window distance, 12 metres window to gable distance and 10 metres from first floor windows to the boundaries they face. Additionally, as set out within the Council's Adopted Design Guide these spacing distances increase where there is significant level differences.

The previous application was refused partly because it was not considered that the submitted illustrative layout plan adequately demonstrated that 82 dwellings could be accommodated on the site whilst protecting the amenities of the existing and future residents. This was due to the fact that the scheme did not accord with the approved spacing standards and the highway layout was not considered acceptable which would have necessitated the need for amendments to the layout potentially impacting on the number of dwelling achievable on the site.

The layout has been amended and the number of dwellings reduced to 70. The property on plot 41 is only 7 metres from the boundary with 382 Langton Brow. The property on plot 41 however is a bungalow which ensures that first floor windows will not result in overlooking, additionally this property can be designed so that no habitable room windows face the boundary with 383 Langton Brow.

Another consideration is the internal spacing distances within the site to protect the amenities of the future residents. A few of the properties on the originally submitted scheme did not meet the required spacing standards. The illustrative layout has been amended to demonstrate that the properties can achieve the required spacing distances.

The amended illustrative layout incorporates the finished floor levels of the proposed properties which are located along the boundary of the site and the surrounding properties. The direct relationships are between plots 40-47 and the properties on Shelley Drive and Langton Brow. Between plot 47 and 364 Langton Brow there is approximately a 1.3 metre level increase between the existing dwelling and the proposed plot. In excess of 26 metres is retained between the rear of 364 and the side of plot 47, additionally plot 47 is a bungalow, which is considered to be acceptable. The rear elevation of plot 46 is approximately 26 metres from the rear elevation of 372 Langton Brow and is approximately 1.9 metres higher than the existing property. In accordance with the Council's increase spacing distances between 5-6 metres additional spacing distance is required. As 26 metres is retained (5 metres in excess of the standard 21 metres) and plot 46 is a bungalow this spacing distance is sufficient.

The side elevation of plot 45 is approximately 26 metres from the rear elevation of 380 Langton Brow and is approximately 2.1 metres higher than the existing property. In accordance with the Council's increase spacing distances 6 metres additional spacing distance is required. As 26 metres is retained (14 metres in excess of the standard 12 metres) and plot 45 is a bungalow this spacing distance is sufficient.

The rear elevation of plot 43 is approximately 21.5 metres from the rear elevation of 382 Langton Brow and is approximately 0.5 metres higher than the existing property. This spacing distance accords with the Council's guidelines

The rear elevation of plot 41 is approximately 22 metres from the rear elevation of 9 Shelley Drive and is approximately 1 metres higher than the existing property. The Council's standard 21 metres window to window distance applies to first floor windows. As the proposed dwelling is a bungalow no first floor windows will be created which ensures that there will be no loss of privacy to the detriment of the neighbours amenities.

The rear elevation of plot 40 is approximately 22 metres from the rear elevation of 11 Shelley Drive and is approximately 1.5 metres higher than the existing property. The Council's standard 21 metres window to window distance applies to first floor windows. As the proposed dwelling is a bungalow no first floor windows will be created which ensures that there will be no loss of privacy to the detriment of the neighbours amenities.

The originally submitted illustrative layout detailed bungalows in the south western corner of the site to take into account the neighbours amenities along Shelley Drive and the level differences between the site and Shelley Drive (which is at a lower land level). The amended illustrative layout proposed bungalows for all the properties adjacent to the site boundary to protect the

amenities of the existing residents taking into account the level difference.

It is considered that the illustrative layout adequately demonstrates that 70 dwellings can be accommodated on the site whilst protecting the amenities of the future and existing residents. The layout is illustrative at this stage, and likely to change at reserved matters stage, however for future reserved matters it has been demonstrated that a scheme of 70 dwellings can be accommodated on the site.

Highway Safety

This outline application relates wholly to vehicular access and the principle of redeveloping the site. It is proposed to access the site from Langton Brow utilising the access which already serves the site. Clearly the erection of 70 dwellings on the site will generate traffic to and from the site and as such the access and highway safety implications is a consideration.

Although the layout plan is indicative at this stage the plan indicates that 2 off road parking spaces will be provided for two and three bedroom dwellings and 3 off road parking spaces will be provided for 4 bedroom dwellings. The plan also indicates that 6 metres of driveway space will be provided in front of garages to accommodate a car off the highway. This provision accords with the Council's parking standards and the draft RSS parking standards. Additionally the agent for the application has been advised that garage accommodation will be required to measure 6 x 3 metres in accordance with Manual for Streets.

The Highway Engineer has commented that in general terms he has no highway comments to make on the general principle of the development or the basic layout itself. He has also confirmed that the proposed junction with Langton Brow is adequate for the traffic generated and the layout works internally.

However he was originally concerned that the layout contains two roads that are effectively 110m and 130m straights. The design speed of this development is 20mph and as such, some horizontal feature is needed at a maximum distance apart of 60m to encourage the low traffic speed. He considered that this could be achieved relatively simply by strongly accentuating the deflection at Plots 27/60/69 and introducing a change of direction at Plots 46/49/67 and this could be done without too much impact on the layout.

Another concern is that the roads are set at a non-standard width of approximately 5m. The road widths need to be at 5.5m wide for this number of dwellings. Additionally further information is required in respect of what is proposed for the junctions, turning head areas and stripes/rumble strips shown, however none of these features would have any impact on the planning layout. The Highway Engineer originally confirmed that he could not support this application in its current layout however with the features suggested above there would be no reason to object, from a highways viewpoint

Following the Highway Engineer comments the illustrative layout has been amended to take into account his concerns. The amended illustrative layout incorporates 5.5 metre wide roads and

road deflections at plots 27/60/69 and plots 46/47/67 which appears to address the Highway Engineer comments. The Highway Engineer has reviewed the amended plans and has confirmed that the amendment is fine and will encourage slower moving vehicles.

Affordable Housing

In accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan 20% on site affordable housing will be required as part of the development, in respect of the brownfield element of the site. Based on the illustrative layout this equates to 8 affordable dwellings on the site. As 20% of the number of dwellings proposed on the brownfield part of the site equates to 8.8 units the 0.8 element will be calculated as a commuted sum which will be used for the provision of off site affordable housing

In respect of the greenfield element of the site, based on the illustrative layout, a minimum of 50% affordable housing will be required in order to accord with Policies GN3 and HS8 of the Local Plan. This equates to 13 affordable units on the site.

In total 21 affordable units will be provided on the site, based on the illustrative layout. Based on need in the area this will be split between 80% rented and 20% intermediate accommodation. The preferred split would consist of 10 x two bedroom and 11 x three bedroom accommodation which reflects need in this area of the Borough. The location of the affordable units will be agreed at reserved matters stage. This obligation will form part of the Section 106 Agreement associated with the development.

Local Services

Ecclestone is a rural Village surrounded by Green Belt. The proposed development will increase the population of the Village and the indicative layout demonstrates that family accommodation will be provided on the site. Within the Village there is a GP Practice and 2 primary schools.

Lancashire County Council Education Authority have requested a contribution towards education facilities. They have confirmed that at the moment there is anticipated to be sufficient secondary places to support the development. However, the rising birth-rate leads us to expect that there will now be a shortfall of approximately 15 places in the surrounding primary schools by 2014. Following further consultation in this regard the Education Authority have confirmed however that there is not a shortfall currently in primary school places.

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 2014. 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.

As such it is not considered that the proposal will adversely impact on the schools within the Village.

Ecology

Due to the nature of the site and the proximity of the site to the adjacent open countryside the ecological implications of the development are a consideration. The first application at the site was withdrawn due to the requirement for a Newt survey which can only be undertaken at certain times of the year. The second application was refused due to the fact that insufficient information was submitted in respect of Great Crested Newts

The Ecologist at Lancashire County Council has commented on the proposals and originally requested that prior to determination of the application, the applicant will be required to clarify the width of the habitat areas to be retained at the boundaries of the proposed development.

It was subsequently confirmed that the proposed newt habitat/ connecting corridor would be approximately 1 metre wide which the Ecologist was concerned with as it is too narrow to function effectively for Great Crested Newts. However the Ecologist considers that if there is sufficient flexibility regarding the scheme layout then the mitigation could be amended at the stage when a licence will be required from Natural England, Natural England will be the determining authority in respect of Newt mitigation. The Ecologist also commented on the distance between the existing and proposed hedge and the proposals to accommodate a screen fence immediately adjacent to the hedge, which could adversely impact on hedgerow establishment. The agent for that application has confirmed that the new hedge will be located 1 metre south of the existing hedge (as opposed to 1 metre south of the centre line as originally proposed) and alternative boundary treatment will be introduced. This shows that there is flexibility and the precise details of the Newt mitigation will need to be determined by Natural England.

The amended illustrative layout details the above suggestions in respect of the hedge and the fencing and the Ecologist considers that the amended boundary is more suitable and is acceptable. The Ecologist considers that, taking into account the amendments, appropriate planning conditions can be attached to the recommendation which will ensure that the proposals are in accordance with the requirements of relevant biodiversity planning policies and legislation.

In respect of Great Crested Newts the application area does not support a breeding pond, and is comprised of terrestrial habitat that is largely suboptimal, for great crested newts. It therefore seems reasonably unlikely that the redevelopment of this site would compromise the ability of the local area to support great crested newts at current population levels. However, redevelopment could potentially result in a loss of habitat connectivity between ponds and the proposals also have the potential to result in an offence being committed (killing/injuring). Mitigation measures have therefore been proposed to ensure that the existing population of newts can be maintained at a favourable

conservation status. These measures (habitat creation, enhancement and management; newt exclusion; and monitoring) are outlined within the submitted reports. The Ecologist considers the outline proposals for mitigation would demonstrate in principle that detrimental impacts on great crested newts can be avoided, and implementation of the mitigation/compensation proposals would then need to be the subject of a planning condition.

In respect of bats the ecological consultant concluded there was a low likelihood of bats roosting within the site however mitigation proposals for impacts on bats were provided. These mitigation measures are considered to be acceptable and will be secured via condition. Habitats on the site, including existing buildings, have the potential to support nesting birds. It needs to be ensured that detrimental impacts on breeding birds are avoided.

The ecology report states that the application area supports approximately 400m of hedgerows, of considerable value, providing shelter and foraging opportunities for birds, mammals and invertebrates and potential commuting routes for bats. Hedgerows are a UK Biodiversity Action Plan Priority Habitat and their retention is important to ensure no net loss of biodiversity value. However if these hedgerows cannot be retained and enhanced, then appropriate compensatory planting (replacement hedgerows) can be accommodated. This will be secured via the landscaping scheme/habitat creation and management plan conditions.

The Ecologist has commented on the trees on site. The majority of existing trees on site would be retained within the proposed development. However, the Tree Schedule recommends that two trees (T16 and T23) should be felled 'for reasons of sound arboricultural management'. The description of these trees, as over-mature with cavities and much dead wood, suggests strongly that these trees could be classified as veteran trees. The Ecologist confirms that retention of such trees is encouraged by PPS9 and therefore, unless these trees are actually dangerous, they should be retained within the development.

Tree T16 is an Ash Tree and Tree T23 is an Oak tree. The Council's Arboricultural Officer has visited the site and made an assessment of all the trees. Those trees considered worthy of retention have been protected by a Tree Preservation Order (TPO 1(Eccleston) 2009) and this includes the two trees raised by the Ecologist. The two trees in question are incorporated on the indicative layout as retained and as such the removal of these trees does not form part of this application.

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:

- (a) the activity must be for imperative reasons of overriding public interest of for public health and safety;
- (b) there must be no satisfactory alternative and
- (c) 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 proposals partly involve the redevelopment of brownfield land which is the preferred location for development and will incorporate a proportion of affordable housing which is both a National and Corporate priority. There is a need for affordable housing within the Borough and the redevelopment of this site for housing will contribute to the supply of new housing in the Borough which is within the public interest. The site and building has been marketed for over a year now with no interest in retaining the premises for employment purposes. The building is vacant and if the site was left vacant the building would deteriorate further. The redevelopment of this site is considered to be the most appropriate use for the site. An Ecology survey and Great Crested Newt survey has been undertaken on the site, it is considered that if the proposed mitigation measures are implemented the proposals will not adversely impact on protected species. It is considered that the proposals satisfy the three derogation tests and will not impact unfavourably on the population of protected species.

Drainage and Flooding

A number of concerns have been raised in respect of the drainage/ sewerage facilities in the Village, the capacity of the existing facilities to support the proposed increase in dwellings and flooding implications resulting from the development.

United Utilities have no objection to the proposal although they have confirmed that a water main runs along the entrance to the site and an access strip of no less than 5 metres wide measuring at least 2.5 metres either side of the centre line of the main will be required. The applicants are aware of this.

When the previous application was considered a number of concerns were raised in respect of the capacity of the existing services, similar concerns have been raised in respect of this application. During the assessment of the previous application these concerns were forwarded to United Utilities who confirmed that in respect of the public sewer system serving this area there was a history of blockages causing flooding however, the sewers are hydraulically capable of receiving foul flows from the proposed development.

In respect of surface water United Utilities originally intended to direct all surface water flows from the proposed development

directly/indirectly in to the adjacent watercourse (Sydd Brook), with the Environment Agency's approval, which they consider will further reduce any likelihood of sewer related flooding within the vicinity.

The Environment Agency confirmed that the site is in flood zone 1 and they have no knowledge of any flooding. However, there are serious problems in Sydd Brook to which United Utilities originally proposed to discharge the surface water. The Environment Agency would be opposed to any increase in surface water discharges to the watercourse.

Following receipt of these comments United Utilities confirmed that the surface water discharge from the proposed development would be restricted to the previous run off rate in agreement with the Environment Agency. United Utilities records provided show that surface water from the property currently drains to the public sewer network. The submitted Flood Risk Assessment states that the surface water strategy for the site is to drain surface water runoff post-development to the same point of discharge at a lesser rate

The Environment Agency have requested confirmation on the above point and whether the surface water will discharge to the surface water sewer or to a watercourse. Permission is required from the Environment Agency if the intention is to discharge to the watercourse however permission is not needed if the developers intend to utilise to surface water sewer. The agent for the application has confirmed that surface water will be directed to the existing sewer network with a 20% reduction in current rates. As such the Environment Agency have no objections to the proposal subject to several conditions/ informatives.

Public 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 a formal planning application. This was undertaken prior to the submission of the previous application and included a public exhibition where neighbours were asked to comment on the proposed scheme.

A Statement of Community Involvement forms part of the submitted supporting documentation. The original consultation involved a leaflet drop to neighbouring homes and businesses and a public exhibition at Sagar House. 46 people attended and 12 consultation slips were completed which incorporated 7 supporting the proposals, 2 objecting to the proposals and three undecided. Two layouts were displayed at the original consultation event, one demonstrating 106 dwellings and one demonstrating 101 dwellings.

The current proposal has been prepared in an attempt to address the reasons for refusal on the previous application. Prior to the submission of this application a Planning Application Update Sheet and illustrative site layout was sent out to residents inviting them to comment. Two letters were received raising concerns in respect of plot 45. The submitted statement confirms that this property should be a bungalow to take into account level changes. The amended illustrative layout incorporates bungalows along the site boundary.

Impact on the Locally Listed Building

The existing office building located on the site features on the Council's list of Locally Important Buildings. The property is not statutory listed however the Council has drawn up its own list of buildings within the Borough which have historic and/or architectural value and will seek to protect these buildings from demolition or inappropriate alterations.

The Council's Conservation Officer has made the following comments on the proposals. This is the third application received from this applicant for the redevelopment of this site. As previously the proposal is for demolition of the building currently occupying part of the site and redevelopment of the whole site for housing. Whilst the number of units proposed and the layout has been tweaked slightly, reducing the number of units from 82 to 70, substituting some houses for bungalows, retaining trees and allowing a slightly larger area of open green space, essentially the proposal is the same as before.

The building that it is proposed to be demolished is defined by Chorley Council as a 'Locally Important' building. Policy HT10 of the 2003 adopted Chorley Council Local Plan Written Statement, and specifically paragraph d of that policy refers to demolition of locally important buildings and states that this will only be permitted if the building has been proven to be structurally unsound and incapable of beneficial reuse. In my view that case has not been proven by the applicant for the following reasons:

- No exploration of possible other uses for the building has been undertaken.
- The estimated refurbishment costs have been inflated by the cost of works that the applicant would have to incur whether the building remains or not - Street lighting, road resurfacing and landscaping.
- The potential residential value of the building, which would be significantly higher than the commercial value, has not been shown.
- The cost of embodied energy and the value of materials and construction labour that would be lost as a result of demolition has not been included.
- The demolition cost has not been included, although that for the removal of asbestos (already undertaken) has.
- The cost for air conditioning and toilet block refurbishment are included, but would be excluded from a costing for residential conversion.
- The building has not been proven to be structurally unsound.

Whilst there may be other costs for a residential conversion scheme the simple fact is that this option has not been considered by the applicant. Only the option of continued commercial, office, use has been considered. Consequently the Conservation Officer considers that the proposal is unacceptable because it has failed to adequately address the requirements of Policy HT10.

English Heritage have assessed the building in respect of statutory listing the building however they did not consider it worthy of protection and as such the building is not a statutory listed building.

When the previous application was submitted a letter was submitted from CGMS Consulting on behalf of the applicants in respect of the Local Listing. The letter states that Sagar House and its ancillary gatehouse were built in the mid-1960s, for the textile manufacturers, Carrington and Dewhurst. The company had acquired an interest in Grove Mill, Ecclestone in the late 19th Century and had built New Mill, Ecclestone in the early 20th Century. Sagar House was opened in 1965, providing space for administrative and executive functions.

By the early 1980s, Carrington Dewhurst had been absorbed into Carrington Viyella, which had then been taken over by Vantona. In the process, both mills in Ecclestone had been closed down and Sagar House had been vacated, thus bringing to an abrupt and lasting close its short-lived association with the textile industry. Sagar House was acquired and significantly altered by Pontins in the late 1980s and the site became the company's head office, until this function was transferred to Southport in February 2008.

Sagar House was purpose built to a design by Leonard Fairclough and Partners. The letter goes on to state that in terms of general style, proportions, plan form, materials and texture, Sagar House is typical of functional office buildings that were produced in great numbers in the later C20, as much across Lancashire as elsewhere. It displays a confident but unimaginative use of what were current technologies. Nor do Sagar House and its ancillary gatehouse possess unusual architectural value as a group, or form part of a wider ensemble with the former mill buildings in the village.

The letter states that the limited architectural significance of the unexceptional principal building has been so debased by change that no architectural grounds for local listing can reasonably be sustained. Were any individual items thought to have residual interest, these could be recorded before demolition.

The letter then goes on to state that there are extensive repairs needed to refurbish and upgrade the building for re-use which would rob the structure of a substantial proportion of the surviving elements of the original external fabric, including glazing and external facing panels.

The letter concludes that the modest architectural quality and aesthetic merits of the building have been seriously debased by alterations and adaptations; and further radical and damaging change would now be required (at prohibitive cost) to keep the building in active use. In terms of historic interest, this modern building had only a short lived connection with the two village mills (which closed many years ago) and does not have any intrinsic ability to reveal an association with any key aspect of local history (nor is any such interest suggested in the local list description). The letter concludes that the building should be removed from the Local List.

The building, although included on the Local List, can be demolished without the need for Planning Permission. The inclusion on the Local List does not constitute statutory listing and was not considered worthy of statutory listing. It is not considered justifiable to refuse the application on the grounds of the loss of an important historical building particularly as there has been no interest in the building for conversion (which is demonstrated by the marketing exercise which has occurred at the site). As such the demolition of this building is considered to be acceptable.

Section 106 Agreement

Due to the nature and scale of the development there will be a legal agreement associated with the development. The Section 106 Agreement will include the provision of on site affordable housing, as set out above, a contribution to equipped play space (£2526 per dwelling) and a contribution towards community recreational amenities.

Response to the Neighbours concerns

As set out above there is significant neighbour objection to the proposal. A number of concerns have been raised which will be addressed below.

Impact on Local Services

The residents are concerned that the local services cannot cope with proposed increased in dwellings however LCC Education have confirmed there is no current shortfall in school places. Additionally the PCT have been consulted in respect of health care provision.

Capacity of drainage infrastructure and flooding

Concerns have been raised in respect of the drainage and sewerage systems in the area and their capacities however United Utilities have no objection to the proposals and it is considered that surface water can be dealt with at the site.

Chorley Borough Council has no direct responsibility to solve land drainage flooding but they can, using powers within the Land Drainage Act 1991, enforce maintenance responsibilities and in default carry out that work and recharge the person with riparian responsibility.

Full details of surface water drainage water arrangements are required by condition. This condition will include details of measures to reduce water run off outside the boundaries of the site

Building on Green Belt land, impact on trees, wildlife and hedgerows

It has been established that part of the site is brownfield and part greenfield hence the different Policy requirements set out above. The impact of the development on protected species is a consideration hence the submission of the Newt and bat survey. The Ecologist is satisfied that protected species will not be harmed by the proposed development.

A hedgerow and trees have been removed from the site, the hedgerow was located along the boundary of the brownfield part of site and the greenfield part of the site, the hedgerow was removed early 2008. The hedgerow has been assessed and it does appear that the hedgerow fits the criteria to be deemed an Important Hedgerow. However given that over a year has lapsed since its removal it is not considered suitable to prosecute this matter, however a replacement hedgerow can be required if considered necessary.

2.5 storey out of character

Comments have been raised about the inclusion of 2.5 storey properties which will not be in keeping with the character of the Village. The submitted Planning Statement however indicates that the properties will be a mixture of 1 and 2 storey dwellings. Design and character will be dealt with at reserved matters stage to ensure the properties are in keeping with the character of the surrounding area.

Impact on highway infrastructure, highway safety and parking

Increased traffic and highway safety issues have been raised as concerns however the Highway Engineer has raised no objection to the proposed access onto Langton Brow.

The illustrative layout sets out parking requirements which accord with the Council's parking standards. Additionally, although illustrative at this stage, the Council's Spacing Standards have been adhered to to ensure there is no loss of privacy, overlooking or loss of light to the detriment of the amenities of the existing or future residents.

Housing need

The need for additional housing is not a material planning

consideration

Strictly affordable

A proportion of the properties on site will be affordable dwellings secured through the associated Section 106 Agreement and

managed via a Registered Social Landlord who will ensure the properties are maintained as affordable units.

Levels, overlooking, loss of light, loss of privacy

Levels and privacy is dealt with in the report. The Council's spacing standards are met taking into account the level changes and bungalows are incorporated to take into account the level changes. As such it is considered that the amenities of the existing and future residents can be maintained.

Loss of employment site

This issue is addressed within the report. The site has been marketed in accordance with relevant Planning Policy and it has been adequately demonstrated that there is no interest in retaining this employment premises.

Too many houses

The housing density is below the National standard and the illustrative layout demonstrates that the number of houses proposed can be accommodated on the site. As such the number of dwellings is considered to be appropriate.

Loss of a historic building

Some residents consider that Sagar House is an important historic building however the property is not statutory listed or considered worthy of listing and its retention is not justified.

Eccleston Village Design Statement

A few residents have stated that the Eccleston Village Design Statement states that development should be of no more than 20-30 dwellings. However only parts of this document forms part of adopted Supplementary Planning Guidance. The part of the document which states that developments should be in smaller groupings of up to 25 dwellings does form part of the adopted text.

However since the adoption of this guidance document in 2001 the Local Plan has been adopted (2003) and Planning Policy Statement 3: Housing has been published (2006). PPS3 encourages the redevelopment of brownfield land and the Policies of the Adopted Plan do not restrict the size of developments in the Village on the proviso that the development accords with the Policy. Given the age of the document, the fact that the document is for guidance only and subsequently adopted Planning Policies only limited weight can be afforded to the Eccleston Village Design Statement. The proposals are considered to be acceptable in terms of National, Regional and Local Planning Policy and it is not considered that guidance with the Design Statement is sufficient to warrant refusal.

Sustainability

The first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), the new style Local Plan, was adopted in September 2008. As such the scheme will be required to achieve a minimum 10% reduction in energy consumption and accord with Code for Sustainable Homes.

To ensure that the future reserved matters application accord with Policy SR1 of the Sustainable Resources DPD appropriately worded conditions will be attached to the recommendation in

respect of reducing energy consumption

Waste Collection and Storage

The Council's Waste & Contaminated Land Officer has not identified any major concerns in respect of waste collection and storage. All of the highways shown on the amended illustrative layout are shown to adoptable standards which will enable the collection vehicles to access and serve the site.

Conclusion

The proposal involves the redevelopment of brownfield land, which is considered acceptable in terms of National Planning Policy. The redevelopment of the greenfield part of the site will make a significant contribution to local housing need, i.e. affordable housing which accords with Policy HS8 of the Local Plan.

The proposal does involve the loss of an employment facility however the marketing exercise carried out at the property accords with the Supplementary Planning Guidance which accompanies Policy EM4. The exercise demonstrates that a suitable employment re-use cannot be secured in accordance with Policy EM4.

Recommendation **Permit (Subject to Legal Agreement)**
Refuse if the Section 106 Agreement is not signed by 26th
January 2010

Recommendation: Conditions

1. An application for approval of the reserved matters (namely siting, scale, external appearance of the buildings 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 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 and HS4 of the Adopted Chorley Borough Local Plan Review

3. The application for approval of reserved matters shall be accompanied by 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.

4. Each application for approval of Reserved Matters shall be accompanied by full

details of 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 has been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall also include 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) and how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. 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.

5. The applications 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 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, all dwellings commenced after 1st January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Codes for Sustainable Homes. The development shall not commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. 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.

6. 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.

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.

7. In accordance with the Lancashire Biodiversity Action Plan Targets the submission of a habitat creation and management plan is required to be submitted and approved in writing by the Local Planning Authority prior to the commencement of the development. The plan shall include methods to establish habitats as well as appropriate aftercare and long term management. The proposed landscaping should comprise only native plant communities appropriate to the area and should enhance habitat connectivity. The existing hedgerows on site shall be retained and where this is not possible then replacement hedgerows will be required as part of the landscaping scheme/habitat creation and management plan. The landscaping thereafter shall accord with the approved plan.

Reason: To ensure that the retained and re-established habitats that contribute to the Biodiversity Action Plan targets are suitably established and managed. In accordance with Policy ER5 of the North West Regional Spatial Strategy.

8. 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.

9. 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.

10. No works shall take place on the site until the applicant, or their agent or successors in title, has secured the making of a photographic record of the building. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion the photographic record shall be submitted to the Local Planning Authority.

Reason : To ensure and safeguard the recording and inspection of matters of historical importance associated with the building/site and in accordance with Planning Policy Guidance Note 15: Planning and the Historic Environment

11. 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.

12. 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.

13. Notwithstanding the submitted details the application for reserved matters shall be accompanied by full details of the access junction to the site with Langton Brow. The junction thereafter shall be completed in accordance with the approved details 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

14. Due to the size of development and sensitive end-use, 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 and in accordance with Planning Policy Statement 23: Planning and Pollution Control

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

Reason: 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.

16. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. The details shall include a strategy to attenuate surface water discharges and measures to reduce land flooding from within the site to outside the boundaries of the site. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 Development and Flood Risk

17. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.

Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.

18. 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.

19. The development hereby approved shall be carried out in accordance with the Great Crested Newt Outline Mitigation set out within Section 6 and Appendix 1 of the Great Crested Newt Assessment undertaken by Scott Wilson dated August 2009.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

20. Prior to the commencement of the development details of a suitable receptor site for any great crested newts (GCN) trapped as a result of exclusion techniques shall be submitted to and approved in writing by the Local Planning Authority. These details should include a Management and Maintenance Plan to run for a minimum of 5 years and Post Development Monitoring for a period of 4 years in accordance with Section 6.1.4 of the GCN Assessment. The development thereafter shall be carried out in accordance with the approved plan.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

21. Prior to the commencement of the development a scheme for the creation/ enhancement of 0.27 hecatres of intermediate terrestrial habitat for Great Crested Newts within the development site shall be submitted to and approved in writing by the Local Planning Authority. This should include: planting a dense hedgerow along the northern boundary of the site, retention/ enhancement of rough grassland along the north-west boundary and retention/ enhancement of rough grassland in the north-east corner of the site. The development thereafter shall be carried out in accordance with the approved details.

Reason: To ensure the continued protection and enhancement of Great Crested Newts. In accordance with Government advice contained in PPS9 and Policy EP4 of the Adopted Chorley Borough Local Plan Review.

22. The outline planning permission hereby approved relates to the erection of upto 70 residential units. The application for reserved matters shall not exceed 70 residential units.

Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area. In accordance with Government advice contained in PPS3: Housing and Policy HS4 of the Adopted Chorley Borough Local Plan Review

23. The approved plans are:

Plan Ref.	Received On:	Title:
1048.10	27th October 2009	Location Plan
S08/148	27th October 2009	Topographical Land Survey
1101.SK10C	15 th November 2009	Illustrative Layout

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