

## **APPLICATION REPORT – 20/01379/FUL**

**Validation Date: 22 December 2020**

**Ward: Astley And Buckshaw**

**Type of Application: Full Planning**

**Proposal: Erection of four dwellings with garages and an additional triple garage adjacent Buckshaw Hall**

**Location: Buckshaw Hall Knight Avenue Buckshaw Village Chorley PR7 7HW**

**Case Officer: Caron Taylor**

**Applicant: Mr Chris Langson**

**Agent: LMP Ltd**

**Consultation expiry: 23 June 2021**

**Decision due by: 16 February 2021**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted subject to conditions and a S106 legal agreement to tie the profits from the sale of the proposed dwellings to the renovation of Buckshaw Hall.

### **SITE DESCRIPTION**

2. The application site is located within the original curtilage of Buckshaw Hall, a Grade II\* listed manor house. The land surrounding the building and the application site has been developed into Buckshaw Village. The site is surrounded by dwellings with those associated with Buckshaw Village located to the north, east and south and Buckshaw Hall itself located to the west, along with a converted barn. Site access is gained from Knight Avenue to the east. Planning permission and listed building consent were granted initially in 2003 to make the building weatherproof and then in 2006 for the conversion of the barn within the grounds of Buckshaw Hall for ancillary accommodation and changes to Buckshaw Hall itself so it can be brought back into use as a dwelling.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

3. Buckshaw Hall itself is believed to date in part, from as early as the mid-1600's with extensive renovation in the late 19th Century. The building retains much of its timber framed origins and H-plan form with later brick additions including decorative chimney stacks, a slated roof and a date stone.
4. In 1936 the Government established ROF Chorley, an ammunition factory complex which encompassed Buckshaw Hall. At that time, the poor quality of the restoration to the Hall was evident and the structure and fabric of the Hall were deteriorating. Initially the Hall was used as office accommodation, but after the war the building was abandoned and marked for demolition. In view of its forthcoming fate, the building was recorded in 1954 by the Ministry of Works. However, the expected demolition was never carried out, and the

building was listed in 1975. Its condition continued to deteriorate until some works were carried out following the 2003 permissions being granted to make it wind and watertight.

5. The application seeks planning permission for the erection of four detached dwellings in the grounds of the Buckshaw Hall, which the applicant would sell to fund the renovations to the Hall to make it suitable for modern living as a dwelling. The Council would not normally approve dwellings in such close proximity to a listed building but sometimes this is necessary to secure the future of historic assets. This is known as 'enabling development'.
6. An application in 2019 (ref: 19/00132/FUL) was withdrawn before a decision was issued. In terms of the current application, it has been amended in response to the comments of Historic England and the Council's Conservation Advisor during the application process.

## **REPRESENTATIONS**

7. When the application was originally submitted four representations were received citing the grounds of objection detailed below but one of these objections was been withdrawn following the submission of amended plans:
  - The properties are not in keeping with the heritage of the site or the Redrow properties;
  - Unacceptable relationship with no.18 Knight Avenue;
  - It will block views of an historic landmark;
  - Four properties will add more traffic and disturbance on an already busy street and could result in more accidents;
  - The owner of the Hall has not attempted to interact with neighbours;
  - Noise during the build;
  - The owner should complete renovation work on the Hall before starting other projects;
  - The plot next to no.16 Knight Avenue is too close. Redrow added side windows to the living and bedrooms to bring in extra light and to offer a feature / view. Both side windows will now be looking at brick walls, not what they were intended for.
8. Two letters of support have been received which make the following comments:
  - The project will tidy up the area and add good value to it;
  - The area around the Hall at present is an eyesore, it looks undeveloped and unfinished which does not give a respectful feature to such heritage that the Hall holds;
  - Buckshaw Village has hundreds if now thousands of dwellings already built in this area so they see no reason when adding an extra four would be a problem.

## **CONSULTATIONS**

9. Euxton Parish Council: Have stated that they have a conditional objection. They have noted the comment about the s106 agreement tying the development of the houses to the completion of Buckshaw Hall and request that this is made a condition of the planning application to ensure Buckshaw Hall is completed.
10. United Utilities: Have noted that there is a S104 sewer passing through the site and connecting or building over or near to these assets could affect whether they are adopted. The properties should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way. They request conditions in relation to drainage if the scheme is approved.
11. Waste & Contaminated Land Officer: Have confirmed that they have no comments.
12. Lancashire County Council Highways: Do not have any objections regarding the proposed four dwellings and are of the opinion that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They recommend conditions.
13. Historic England: Have no objection to the application on heritage grounds. They welcome and commend the approach of the owner to reinvest the proceeds from the new development into the Hall and complete its refurbishment, bringing back a nationally

significant building into use and safeguarding it for the future. They note the owner's willingness to enter into a legal agreement to this effect. They do have some minor comments on the design which they feel would help to reduce the impact of the new development on the Hall and suggest the Local Authority negotiates these points [amended plans have been received in response to these points]:

- Suggest that the roundabout indicated on the plan is pulled back towards the entrance to the site in order to retain as much space around the Hall as possible to serve as a buffer between it and the new development.
  - Access tracks should not be overly wide, ensuring the retention of as much soft landscaping as possible. Careful thought should also be given to the materials used for tracks, avoiding standard concrete kerb sets and expanses of tarmac in favour of more high quality and natural materials, in respect to the status and importance of the Hall.
  - Thought should be given to the nature and materials used in boundary treatments across the site in order to retain as much sense of openness as possible and avoid the complete fragmentation and erosion of the remaining site and setting. For example the use of estate type railing instead of close boarded timber fences would allow boundaries to be set whilst still maintaining a sense of openness.
14. LCC Historic Environment Team: Comment that the application has a Heritage Statement that assesses the impact of the proposed development on the setting of the Hall and barn. It does not, however, consider the potential impact of the development on any buried features or archaeological deposits relating to the building's use as a dwelling and part of a farm steading, or on any such archaeological remains relating to any earlier but undocumented uses of the site. The area of the Royal Ordnance Factory was subjected to extensive remediation works to decontaminate it from any residual traces of chemicals from its use as an ordnance factory, but as far as they are aware the area immediately around the hall was not affected by these. On this basis they advise that the likelihood of buried archaeological remains should be considered a possibility although of fairly low probability for remains relating to activities before the hall was built, and moderate probability for activities after the hall and prior to the construction of the Royal Ordnance Factory. They advise therefore that the early stages of the development, when ground disturbance is likely to be fairly extensive, should have an archaeological watching brief maintained until such times that the presence or absence of any archaeological remains can be determined. This should be secured by the application of a condition.
16. Greater Manchester Ecology Unit: Have advised that there does not appear to be any habitats of value on the site. They would expect the scheme to include measures to enhance biodiversity at the site, in line with the requirements of the National Planning Policy Framework and Chorley's Local Plan.
18. CIL Officers: Comment that the development will be CIL labile if approved.

## **PLANNING CONSIDERATIONS**

### Principle of the development

19. The principal statutory duty under the Planning (Listed Building and Conservation Areas) Act 1990 is to preserve the special character of heritage assets, including their setting. Local Planning Authorities (LPAs) should, in coming to decisions, consider the principle Act. Which states the following;
- Listed Buildings - Section 66(1)*  
*In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.*
20. Therefore in principle development as proposed can be acceptable providing that the setting of Buckshaw Hall is preserved.

21. The building has been vacant for over 50 years. Some structural repairs to ensure the building is weatherproof were overseen by conservation architects Donald Insall Associates. Since these were completed the building has changed hands on a number of occasions. On each occasion, until purchased by the current owner, the building work has proved to be uneconomic to complete. The building is effectively no more than a shell with two surviving original staircases, which are in quite poor condition, and a limited amount of interior fabric – a large cast iron range – being the only major survival. The costs of fitting out this Grade II\* listed building using appropriate materials and techniques, including the fabrication of all window frames not to mention all other interior fittings – floors, wall finishes, ceiling finishes, plumbing, heating and electrics appear to have been prohibitive. The result has been that the building has once again begun to deteriorate.
22. The key heritage issue for the Council to consider is whether the proposed development would cause harm to the contribution made by the setting to the significance of Buckshaw Hall.
23. The application includes a Heritage Statement produced by Eden Heritage (dated November 2020) which has been reviewed by the Council's conservation adviser.
24. Historic England's advice on setting is contained in its Planning Note 3 (second edition) entitled The Setting of Heritage Assets (2017), which describes the setting as being the surroundings in which a heritage asset is experienced and explains that this may be more extensive than its immediate curtilage and need not be confined to areas which have public access. Whilst setting is often expressed by reference to visual considerations it is also influenced by the historic relationships between buildings and places and how views allow the significance of the asset to be appreciated.
25. In considering this the Council's conservation adviser states it is clear that the Council have to accept that the wider historic setting of the Hall has been significantly altered with the introduction of the modern housing associated with the re-development of the former Royal Ordnance Factory into Buckshaw Village. The original setting was presumably agricultural land. The later development of the Ordnance factory effectively severed the connection the Hall had to its open farm setting. In this respect they do not regard the current setting to contribute a great deal to the significance of the building, which is largely characterised by C17 timber construction and its aesthetic and historic values.
26. Notwithstanding the above it is still necessary to be mindful of the need to give the building as much space as possible, within the backdrop of modern housing. In this respect it seems that the proposed layout has attempted to push the new housing away from the principal views of the building, so whilst further visual encroachment occurs, this occurs at the edges and the sense of openness, of the remaining land, is minimal. Plots 2, 3 and 4 largely follow the line of the existing modern 'estate' properties.
27. Plot 1 is somewhat isolated, however it is tucked hard against the southern boundary and within the wider sub-urban context it is not considered there would be a significant degree of additional harm.
28. Given the nature of the surrounding housing the conservation advisor raises no concerns over the proposed designs of the properties and does not think a more bespoke design approach would have any demonstrable benefit in lessening the slight visual harm to the Hall. However, they advise care will be needed in how the properties are finished and how the landscaping, driveways and garden enclosures are carried out.
29. In this respect, the original plans had a circular driveway feature in front of the Hall and a wide access road to the properties, so the front of the Hall was dominated by hardstanding. Amendments to the properties have been made, changing a detached garage on Plot 2 to an attached garage (therefore shortening the length of driveway), the access to Plots 2 and 3 has been narrowed and the circular driveway feature in front of the Hall altered to a more standard driveway accessing the proposed triple garage for the Hall (which also forms part

of the application) and the Barn, therefore addressing issues raised by the Council's own conservation advisor and Historic England.

30. Following these amendments the conservation advisor considers the proposed new dwellings would result in a low/slight level of impact on the appearance of the wider site and that this would correspond to a low level of harm to the contribution made by the setting to the significance of the Hall.

#### Positive benefits

31. Considering the above it is necessary to also consider the positive benefits of the scheme in the planning balance. The proposal to erect four new dwellings are to provide funds to finish off the works to renovate the Hall. The works would be subject to a Legal Agreement requiring the profit from the new development to make up the 'conservation deficit' on the refurbishment.
32. The application provides some financial information but this probably falls short of a detailed 'Enabling' proposal and it is not exactly clear from the submission what works are proposed to be cross funded. The summary report identifies that there would still be a loss in realising the scheme but the client is willing to except this to provide a suitable outcome. In this context, it is considered that the Council must accept that the scheme provides considerable public benefit through the safeguarding of the significance of the Grade II\* listed Hall. Under Paragraph 196 of the National Planning Policy Framework (the Framework) where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.
33. In this instance it is considered that the considerable public benefit of the scheme can be weighed against the slight visual harm caused to its setting under paragraph 196 of the Framework and given the importance of the building it is considered the benefits in this case far outweigh the low level harm to the setting.
34. In doing so the proposed scheme would meet the duty to 'preserve' as laid down by s.66 of the P(LBCA) Act 1990 and meet the objectives of Chapter 16 of the Framework, policy 16 of the Lancashire Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026 and therefore the impact of the proposal on Buckshaw Hall is considered acceptable in the planning balance.

#### Impact on character and appearance of locality

35. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and policy BNE1 of the Chorley Local Plan 2012 - 2026. It is considered that the design of the proposed dwellings is appropriate to the character of the area and they would assimilate well with other dwellings on Buckshaw Village.
36. Plot 1 has been amended so that its south facing gable is now perpendicular with no.18 Knight Avenue which is considered more appropriate in the street scene. Plots 2-4 are viewed as a continuation of the properties on the north side of Knight Avenue. The layout of the plots allows the main view of the Hall from Knight Avenue to the east to be maintained as much as possible.
37. The smaller details of the scheme – railings, hedges, material of driveway etc. are considered important given its location. Amended plans have been received introducing hedging to the rear garden of Plot 1 rather than a close boarded fence and using black steel railings to the front boundary. In addition, the driveways to the Hall and barn have been amended to resin bound gravel.
38. In light of the above, the development is considered to comply with the Framework, policy 17 of the Central Lancashire Core Strategy and policies BNE1 and BNE8 of the Chorley Local Plan 2012 – 2026.

#### Impact on neighbour amenity

39. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
40. In order to safeguard residential amenity, it is considered necessary to apply a planning condition to require that all windows in the south elevation of Plot 1 are obscurely glazed and no additional windows are inserted to prevent overlooking into the gardens of the existing properties to the south.
41. No.16 Knight Avenue includes side windows serving habitable rooms at ground and first floor level towards the front of the dwelling. These windows serve a lounge and bedroom respectively and the proposed development would introduce a two storey gable wall approximately 1.8m to the west of the window. The window is not the principal window serving these rooms however, there is another much larger bay window that fronts Knight Avenue that does. On balance, the resultant relationship would not be unacceptable and it is not considered it would render the application unacceptable in the planning balance. It should be noted it is not possible to move Plot 4 further to the west due to a sewer and its easement (as referred to by United Utilities). The proposal is therefore considered to be acceptable in terms of residential amenity and complies with policy BNE1 in this regard.

#### Highway safety

42. Adequate off-road parking spaces are proposed to serve the proposed dwellings (3no. spaces each) and so the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026. As noted above, LCC Highways has no objection to the scheme and so the proposal is considered acceptable in terms of access and highway safety. A condition is proposed that the garages should not be converted to living accommodation unless the property would still benefit from three parking spaces.

#### Sustainability

43. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1<sup>st</sup> January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

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

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

44. Given this change, instead of meeting the code level, the dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by conditions.

#### Public open space

45. Policy HS4 of the Chorley Local Plan 2012 – 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
46. Until recently the National Planning Practice Guidance (NPPG) previously set out a threshold for tariff-style contributions, stating that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres. This guidance has been removed from the latest NPPG and has been replaced with a requirement that planning obligations for affordable housing should only be sought for residential developments that are major developments.
47. Specifically, the guidance was derived from the order of the Court of Appeal dated 13 May 2016, which gave legal effect to the policy set out in the Written Ministerial Statement of 28 November 2014 which has not been withdrawn and which should, therefore, clearly still be taken into account as a material consideration in the assessment of planning applications.
48. To this end whilst it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances.
49. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies and how much weight to give to the benefit of requiring a payment for 10, or fewer, dwellings. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
50. Chorley Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population of public open space for children/ young people. There is currently a surplus of provision in Astley Village and Buckshaw in relation to this standard, a contribution towards new provision in the ward is, therefore, not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study.
51. Therefore, a public open space commuted sum is not requested for this scheme.

#### Impact on trees

52. There are a number of trees protected by a Tree Preservation Order in the grounds of the Hall, but these are to the west of the Hall along with boundary with Central Avenue and they would be unaffected by the proposed dwellings.

#### Community Infrastructure Levy

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

### **CONCLUSION**

54. In this instance it is considered that the considerable public benefit of the scheme, to be secured via a Legal Agreement can be weighed against the slight visual harm caused to its setting of Buckshaw Hall under paragraph 196 of the Framework. Given the importance of the building it is considered the benefits in this case far outweigh the low level harm to the setting.

55. It is recommended that the application is approved, subject to conditions and a S106 agreement that ensures the dwellings are not sold, leased or occupied prior to the renovation of Buckshaw Hall (as approved by the 2006 permission) being undertaken.

#### RELEVANT HISTORY OF THE SITE

**Ref:** 03/00871/LBC      **Decision:** PERLBC      **Decision Date:** 31 October 2003  
**Description:** Application for Listed Building Consent to repair the shell of the building to make watertight, including removal of porch structure

**Ref:** 03/01200/FUL      **Decision:** PERFPP      **Decision Date:** 15 December 2003  
**Description:** External alterations, including repairs to make weatherproof and removal of porch structure

**Ref:** 06/00449/FUL      **Decision:** PERFPP      **Decision Date:** 8 January 2007  
**Description:** Change of use to domestic dwelling and alterations to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping

**Ref:** 06/00450/LBC      **Decision:** PERLBC      **Decision Date:** 5 January 2007  
**Description:** Listed Building Consent for change of use to domestic dwelling and alterations (including demolition of one chimney) to form habitable layout, partial demolition of outbuilding and repair of Buckshaw Barn, formation of new access and associated landscaping

**Ref:** 09/00082/DIS      **Decision:** PEDISZ      **Decision Date:** 10 February 2009  
**Description:** Discharge of condition 13 of Listed Building Consent ref. 06/00450/LBC

**Ref:** 09/00190/FUL      **Decision:** REFFPP      **Decision Date:** 14 May 2009  
**Description:** Creation of a vehicular access onto Central Avenue to serve Buckshaw Hall

**Ref:** 11/00969/TPO      **Decision:** PERTRE      **Decision Date:** 5 March 2012  
**Description:** Pruning of 6 trees covered by TPO 4 (Buckshaw) 2006

**Ref:** 15/00776/FUL      **Decision:** PERFPP      **Decision Date:** 29 September 2015  
**Description:** Part retrospective application for alterations to barn to create ancillary residential accommodation and erection of a detached garage including landscaping works

**Ref:** 15/00777/LBC      **Decision:** PERLBC      **Decision Date:** 1 October 2015  
**Description:** Listed Building Consent (part retrospective) for alterations to barn to create ancillary residential accommodation

**Ref:** 19/00132/FUL      **Decision:** Withdrawn      **Decision Date:** 16 June 2020  
**Description:** Erection of 4no. detached dwellings and associated means of access

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

#### Suggested conditions

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

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

2. No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological recording works. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.

*Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the site.*

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

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

4. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.*

5. No dwelling shall be occupied until all fences, walls and railings shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences, walls and railings 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 and to provide reasonable standards of privacy to residents.*

6. 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.*

7. Notwithstanding Schedule 2 Part 1 Class A, B and E and Part 2 Class A of the Town and Country Planning (General Permitted Development) Order 2015 or any subsequent re-enactment thereof no extensions or alterations to the dwellings, outbuildings (including sheds, garages, and greenhouses), walls and fences, or any other works permitted by the aforementioned classes shall be constructed or erected other than those expressly authorised by this permission.

*Reason: The impact of the dwellings upon the listed building, Buckshaw Hall, has been carefully considered. These classes of permitted development have been removed so that any subsequent extensions under these classes can be controlled to ensure they are acceptable in terms of their impact upon the heritage asset.*

8. No development shall take place, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:

- i. the parking of vehicles of site operatives and visitors
- ii. hours of operation (including deliveries) during construction
- iii. loading and unloading of plant and materials
- iv. storage of plant and materials used in constructing the development
- v. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
- vi. wheel washing facilities
- vii. measures to control the emission of dust and dirt during construction

viii. a scheme for recycling/disposing of waste resulting from demolition and construction works

*Reason: In the interests of highway safety and to protect the amenities of the nearby residents.*

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

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

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

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

11. The parking and / or garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).

*Reason: To ensure provision of adequate off-street parking facilities within the site.*

12. The garage(s) hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation, unless the dwelling benefits from three off-road parking spaces.

*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.*

13. A scheme for Biodiversity Enhancement Measures shall be submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the development (or in accordance with a phasing plan which shall first be agreed in writing with the local planning authority) and shall be retained thereafter.

*Reason: For enhancement of biodiversity.*

14. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded. Landscaping proposals should comprise only native plant communities appropriate to the natural area. All landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and

species.

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

15. All windows in the side (south) elevation of Plot 1 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.

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

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows/rooflights other than those expressly authorised by this permission shall be inserted or constructed at any time in the south elevation of the dwelling hereby permitted on Plot 1.

*Reason: To protect the amenities and privacy of the adjoining properties.*

17. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards. The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

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

Title	Plan Ref	Received On
Proposed Triple Garage	20/076/G03	22 December 2021
Proposed Double Garage	20/076/G02	22 December 2021
Proposed Site Plan	20/076/P01 Rev C	25 June 2021
Plot 1 House Type (5H2097)	20/076/SK05	25 June 2021
Plot 2 House Type (5H2137)	20/076/SK03 Rev A	25 June 2021
Plot 3 House Type (5H2243)	20/076/SK04	22 December 2020
Plot 4 House Type C (5H2097)	20/076/SK02 Rev A	25 June 2021

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