

Item 2	10/00115/REMAJ
Case Officer	Mrs Nicola Hopkins
Ward	Clayton-le-Woods North
Proposal	Reserved Matters Application for the erection of 62 two-storey dwelling houses with associated open space, landscaping and infrastructure
Location	Land Formerly Radburn Works Sandy Lane Clayton-Le-Woods Lancashire
Applicant	Bellway Homes (North West)

Consultation expiry: 20 April 2010

Application expiry: 10 May 2010

Proposal

1. This application is a reserved matters application relating to the erection of 62 dwellings on the former Radburn Works site, Clayton le Woods. Outline planning permission was granted in January 2009 to redevelop the site for up to 100 residential dwellings. This permission was granted to Harrow Estates who owned the site. The site has now been sold to Bellway Homes who intend to redevelop the site for 62 two storey dwelling houses.
2. The site is 2.7 hectares in size. The erection of 62 dwellings on this site would result in a density of 23 dwellings per hectare. The outline approval granted up to 100 dwellings on the site which equated to a density of 37 dwellings per hectare. The proposed density is below the 30 dwellings per hectare set out within PPS3 however paragraph 47 of PPS3 does permit lower densities where there is adequate justification. It is considered that taking into consideration the characteristics of the area and the desirability to achieve high quality well- designed housing in a sustainable location ensures that in this situation a lower density can be justified on this site.

Recommendation

3. It is recommended that this application is granted conditional reserved matters planning approval subject to the associated supplemental Section 106 Agreement

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Principle of redeveloping the site
 - Impact on the Neighbours
 - Highways
 - Affordable Housing
 - Impact on the Listed Building
 - Ecology and Trees
 - Design

Representations

5. 7 letters of objection have been received
6. **Clayton le Woods Parish Council** have no comments to make

Consultations

7. **Lancashire County Council** (Ecology) have made comments in respect of the existing and proposed trees on site
8. **Natural England** have no comments to make on the application
9. **The Environment Agency** have no objections
10. **United Utilities** have no objections
11. **Lancashire County Council (Highways)** have confirmed that they have no objection to the proposed narrowing of Radburn Bridge however initial concerns were raised in regards to the internal layout of the site. The Highway Engineer initially advised that the scheme should be refused on highway safety grounds. However following further consultation the Highway Engineer is now satisfied with the proposed scheme.
12. **Lancashire County Council (Planning Contributions)** have requested S106 contributions in respect of waste management
13. **Chorley's Parks and Open Spaces Officer (Development)** has commented on the equipped and informal open space proposed on the site
14. **Chorley's Conservation Officer** has commented on the impact on the setting of the adjacent Listed Building

Assessment

Principle of redeveloping the site

15. Outline planning permission was granted in January 2009 to redevelop the site for residential development. At outline stage all matters were reserved apart from access although the submitted layout plans demonstrated that 100 dwellings could be accommodated on the site. At outline stage the principle of developing the site was established and this application is a reserved matters application addressing the matters which were not considered at outline stage.
16. The site is previously developed, brownfield land and has previously been occupied by Tarmac for recycling of aggregates. In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land, which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land. As such the principle of redeveloping the site accords with Government guidance.

Impact on the Neighbours

17. The application site is bordered by Sandy Lane to the south of the site, Westwood Road to the east, residential properties on Barleyfield to the north and Carr Brook to the west. The Lord Nelson Public House is adjacent to the application site and the residential properties on Radburn Close are located on the opposite side of Carr Brook.
18. The main impact on neighbours resulting from the development is the relationship of the dwellings proposed along the northern boundary of the site with the properties on Barleyfield. The levels of the application site differ to the adjacent Barleyfield housing estate. The majority of the properties along Barleyfield will be at a higher land level than the proposed dwellings although 53-55 Barleyfield will be at a lower land level than the proposed dwellings.
19. Where the difference in land levels between the existing and proposer properties is less than 0.5 metres the proposed scheme demonstrates that the minimum spacing standards of 21 metres window to window distance can be achieved. Where the difference exceeds 0.5 metres greater spacing distances are achieved in

accordance with the Council's Adopted Design Guidance. The difference in land levels between plot 44 and 38 Barleyfield is approximately 1 metre (38 Barleyfield is 1 metre higher) and 24 metres window to window distance is retained. Similarly the difference in land levels between plot 30 and 39 Barleyfield is approximately 1 metre however 26 metres is retained between the 2 properties (in this situation a minimum of 12 metres if required as the rear elevation of the proposed dwelling will face the side elevation of 39 Barleyfield). In excess of 28 metres is retained between plots 26 and 27 and 53-55 Barleyfield.

20. Concerns have been raised about the difference in land levels between the application site and Barleyfield and in particular the potential loss of privacy created by the new dwellings. The property on plot 26 has an 18 metre long garden and the property on plot 27 has a 16 metre long garden. It is considered that this distance ensures that the properties will not create overlooking to garden areas of the properties to the rear which are at a lower land level. There will be a boundary fence located along this boundary to protect privacy. It has been queried whether planting can be accommodated as a screen however it is not considered that planting is an effective screen particularly as the future occupiers could remove the planting without requiring permission.
21. The properties on Radburn Close are at a lower land level than the application site. however there is the existing landscape corridor and Carr Brook between the existing properties and application site and as such it is not considered that the proposed dwellings will adversely impact on the neighbours amenities.
22. There are various land levels changes across the site and the levels increase by approximately 6 metres from the west of the site to the east of the site. This clearly will have implications on the proposed finished floor levels of the proposed dwellings. Where there are direct interface issues greater spacing distances have been incorporated in accordance with the Council's Design Guide to protect the amenities of the future residents.
23. The greatest level change occurs in the eastern portion of the site. Between plot 59 and 56 there is a 2.35 metre level increase. There is 20 metres retained between the rear elevation of plot 59 and the side elevation of plot 56, which ensures that the property at the higher land level will not create an overbearing appearance when viewed from the neighbouring property. The applicants have submitted a sectional plan through this part of the site to demonstrate how the level changes will be dealt with physically on site. The proposed land level is not significantly different to the land level presently on site. The property on plot 59 will have a garden, which slopes upwards at a gradient of 1:10 with a 900mm retaining wall close to the boundary with plot 56. The sectional plan demonstrates that the site will be gradually graded upwards from west to east to provide suitable finished floor levels which protecting the amenities of the future residents and providing usable garden areas.

Highways

24. At outline stage the only matters for consideration were the principle of redeveloping the site for housing and the proposed access arrangements. These access arrangements were approved. The site has previously been used for a number of purposes including an aggregate recycling facility which will have generated the movement of large vehicles. The current vehicle access to the site is via the car park of the adjacent public house, which is a Grade II Listed Building. There is an additional access located along Sandy Lane, which is not utilised. The proposal, which is identical to that approved at outline stage, incorporates a new vehicle access 90 metres to the east of the existing access along Sandy Lane. The existing access through the car park will be closed.

25. Consideration of the main vehicular access was undertaken at outline stage and the Highway Engineer, in regards to this application, has confirmed that he has no objection to the location point of the highway connection point on Sandy Lane. At outline stage a Transport Assessment was undertaken which demonstrated that the site could accommodate 100 dwellings. As this scheme only proposes 62 dwellings the access arrangements can accommodate the proposed scheme.
26. However the Highway Engineer initially raised the following concerns in respect of the internal layout. The internal layout is entirely unacceptable. It does not start to embrace the principles of Manual for Streets where walking and cycling are to be encouraged. The roads must also be safe and convenient for movement. At present, straight, higher speed roads are shown, with no provision for pedestrians to allow them to walk safely. In effect, access ways are shown which we stopped approving around ten years ago. So if shared surface roads are to be used, then the layout must be such that traffic speed is less than 5mph
27. Following receipt of these comments the applicants met with the Highway Engineer and the scheme has been amended to satisfy his concerns. It is considered that the amended scheme incorporates more consideration of pedestrian movements. The Highway Engineer reviewed these amendments and made additional comments in regards to access for refuse vehicles, service strips and parking arrangements. The plans were amended further following receipt of these comments and the Highway Engineer has confirmed that the comments he made have been addressed and the highways are suitable for inclusion in a S38 agreement (which is a separate legal agreement entered into with the Highway Authority).
28. The proposed scheme incorporates the erection of 2, 3, 4 and 5 bedroom properties, which require parking provision in accordance with the draft Regional Spatial Strategy Parking Standards. The originally submitted layout did not accommodate adequate parking provision however the provision has been increased, by increasing the width of the driveways, to ensure that each property accommodates an adequate amount of off street parking.
29. Where detached garage accommodation is incorporated the garages accord with the dimensions set out within Manual for Streets (i.e. 6 x 3 metres). A lot of the properties incorporate internal garages which do not accord with the Manual for Street dimensions however sufficient in curtilage alternative parking provision is provided at these properties which is considered to be adequate.
30. Concerns have been raised in respect of the proposed highway amendments to Radburn Brow/ Sandy Lane. At outline stage part of the redevelopment of the site incorporated improvements to the pedestrian facilities within the vicinity of the site. These improvements included widening the Sandy Lane footway to 2 metres, the provision of a new footway (2 metres wide)/ cycleway (1.2 metres wide) on the northern side of Radburn Bridge, which will result in a single carriageway over the bridge with priority given to westbound traffic and the provision of a footpath link to the footpath located adjacent to Carr Brook. These improvements will be secured through a separate Section 278 Agreement with the Highways Authority.
31. These improvements were approved at outline planning stage and incorporated part of the approved plans. The developers of the site have incorporated these improvements, which accord with the plans agreed at outline, on the proposed layout plan. Concerns have been raised by residents along Radburn Brow about the proposed alterations to Radburn Bridge and the proposed give way markings which will be located in front of 6 Radburn Brow. The concerns relate to cars queuing along Radburn Brow and the subsequent impact on parking along the road and access to properties. The Highway Engineer however has confirmed that the narrowing over the bridge, to provide provision for pedestrians, was approved previously and therefore no objections are raised.

32. As these highway alterations were approved at outline stage they have been accepted and approved. The alterations will require a separate legal agreement with the Highway Authority who are responsible for highway safety.

Affordable Housing

33. As part of the outline planning approval 20% affordable housing was secured on the site via a Section 106 Agreement. This provision is in accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan. The Section 106 Agreement secured a tenure split of 79% rented affordable units and 21% shared ownership affordable units.

34. The current scheme accommodates 62 dwellings. 20% of 62 equates to 12.4 and the applicants are proposing to accommodate 12 affordable units on the site. On the proposed layout the affordable units are plots 7 to 18 inclusive. These properties incorporate 8 three bedroom units and 4 two bedroom units and it is expected that 9 of the units will be rented and the remaining three will be intermediate accommodation.

35. The Section 106 Agreement specified 21% shared ownership however the Registered Social Landlord's have experienced problems with this affordable housing model due to the current economic climate and difficulties with getting a mortgage. As such the applicants are happy to accept a supplemental agreement which refers to intermediate accommodation rather than shared ownership. Additionally as 20% equates to 12.4 the 0.4 element will be calculated as a commuted sum to be spent off site on affordable housing. This will form part of the supplemental agreement.

Impact on the Listed Building

36. The Lord Nelson Public House is a Grade II Listed Building and is adjacent to the site. As such the impact on the setting of the listed building is a consideration as part of this application. The Council's Conservation Officer has reviewed the proposals in terms of the impact upon the Lord Nelson public house and upon the Former Engine House, Sandy Lane, a Locally Important Building.

37. In the Conservation Officer's view the setting of these two buildings will not be unacceptably harmed by the development proposed. He considers that the setting of the listed building has been severely compromised since the Victorian period, when the Radburn Works were first constructed. The removal of the industrial wasteland adjacent to these buildings and in particular the inclusion of a significant amount of planting will both safeguard and enhance their setting.

Ecology and Trees

38. Although the site has been cleared of the previous buildings and hardstanding a significant amount of trees have been retained particularly along the southern boundary and in the eastern portion of the site. Some of the trees within the eastern portion of the site are protected by Tree Preservation Order 2 (Whittle le Woods/ Brindle) 1968 however due to the age of this TPO the Council's Arboricultural Officer is currently remaking the TPO for this site.

39. The submitted layout plan demonstrates which trees will be retained as part of the proposal and the Arboricultural Officer has confirmed that this accords with the TPO he is making. The application is supported by a Tree Survey which demonstrates that there will be some tree removal within the site however replacement planting will be incorporated as part of the landscape proposals.

40. The submitted information has been forwarded to the Ecologist at Lancashire County Council who commented on the proposals to remove major deadwood from many of the trees where deadwood should be retained where possible and the proposed landscaping mix, which was considered to be unacceptable due to the use of non-native species.
41. These comments were forwarded onto the applicants who confirmed that the trees require removal of deadwood from a health and safety perspective. The Ecologist cannot insist that deadwood is retained in unsafe situations and as a compromise it has been agreed that where trees need to be removed for safety grounds then a rustic garden feature would be appropriate. In regards to the proposed species the landscaping plan layout has been amended to include native tree species at the site boundaries and woodland area. The Ecologist considers that this is now appropriate.

Section 106 Agreement

42. The original outline planning approval had an associated Section 106 Agreement, which is carried over to this application as this application is a reserved matters application associated with the original outline approval. The Section 106 Agreement includes clauses in respect of on site informal and equipped open space, an off site contribution to the nearby trim trail and 20% affordable housing.
43. The Agreement specifically referred to the sizes of the onsite informal and equipped play space, which were based on the erection of 100 dwellings. As the scheme now proposes less than 100 dwellings the size of the open space has decreased (although the informal open space has actually increased). The changes to the size of these areas of open space is considered to be acceptable for the size of scheme proposed however a supplemental Section 106 Agreement will be required to amend the sizes of these areas and the subsequent maintenance commuted sums although it is likely that these areas will be privately managed and not adopted by the Council
44. The supplemental agreement will also incorporate the changes to the affordable housing clauses as set out in paragraph 35.
45. Lancashire County Council's Planning Contributions section have submitted a request for S106 contributions. However the contributions were agreed at outline planning stage and further requests cannot be justified in respect of a reserved matters application.

Design

46. The proposals incorporate the erection of 62 two storey residential dwelling houses. It is considered that taking into consideration the character of the surrounding residential area two storey dwellings are appropriate within this location.
47. The scheme incorporates two areas of public open space, which will be overlooked by the proposed housing and will benefit the future residents. Additionally a footpath link will be provided from the site to the public house car park and to Carr Brook.
48. The design of the houses reflects the surrounding area incorporating render, stone and red brick. Some of the larger properties incorporate rear balconies however these have been sited to ensure that they do not create overlooking issues to the detriment of the neighbours amenities.

Overall Conclusion

49. The principle of redeveloping the site for residential development was established with the grant of outline planning permission. It is considered that the scheme represents appropriate development of a brownfield site within a sustainable location and will provide a proportion of affordable housing within the Borough.

Other Matters

Flood Risk

50. The site falls within Flood Zone 1 and the site is located within 5m of Carr Brook which is a main river under the Environment Agencies jurisdiction. The river flows from the north along the western boundary of the site continuing to the south entering the Swansey Lane culvert. The capacity of this culvert is known to be an issue and has caused flooding along Carr Brook in the past. As such a Flood Risk Assessment (FRA) was produced at outline stage and a supplemental FRA has been produced in support of this application.
51. This supplemental FRA has been forwarded to the Environment Agency for comment who have confirmed that the information is acceptable in regards to surface water attenuation at the site.

Waste Collection and Storage

52. Following comments received from the Highway Engineer the internal road layout was amended and tracking plans have been provided which demonstrate access for waste collection vehicles. The Council's Waste and Contaminated Land Officer has reviewed the plans and confirmed that he has no objections from a waste storage and collection perspective.

Sustainability

53. Prior to the determination of the outline application the first policy document, Sustainable Resources Development Plan Document (DPD), within Chorley's new Local Development Framework (LDF), the new style Local Plan, was adopted. To ensure that the future reserved matters applications accord with Policy SR1 of the Sustainable Resources DPD conditions were attached to the approval.
54. The applicants have submitted a Sustainability Statement in support of this application and in association with conditions 9 and 10 attached to the outline planning approval. The Statement confirms that the affordable houses will be constructed to comply with Code for Sustainable Homes Level 3, the site levels have been generated to minimise earthwork arisings reducing the volume of waste disposed to landfill, good horticultural practices will be employed, eco-labelled white goods will be provided/ encouraged, condensing boilers will be provided to all plots, insulating materials will be utilised along with sustainable locally sourced products. Surface water run-off will be dealt with in a sustainable manner and the detached dwellings will have a water butt.
55. Additionally the statement confirms that any dwellings commenced after 2010 will be constructed in order to fully comply with Code for Sustainable Homes Level 3.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17

North West Regional Spatial Strategy

Policies: DP1, DP7, RDF1, W3, W4, L4, L5, RT9, EM5, EM15, EM16, EM17

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS21, TR1, TR4, TR18, EM9

Supplementary Planning Guidance:

- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

02/00751/OUTMAJ- Outline application for Residential Development (2.8 hectares).
Withdrawn

08/00739/SCREEN- EIA Screening Opinion. No EIA required

08/01079/OUTMAJ- Outline application for residential redevelopment incorporating ancillary open space, landscaping and associated infrastructure. Approved January 2009

Recommendation: Approve Reserved Matters

Conditions

1. The proposed development must be begun not later than two years from the date of this permission or not later than five years from the date of the outline planning permission (reference 08/01079/OUTMAJ)

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 approved plans are:

Plan Ref	Received On	Title:
BHWL78/01 Rev S	1 st April 2010	Planning Layout
01-11 Rev B	1 st April 2010	Refuse Vehicle Tracking
2H22	8 th February 2010	2 Bed Mews
3LA2 Rev A	8 th February 2010	3 Bed Detached
3PI2 Rev A	8 th February 2010	3 Bed Detached/ End Mews
3RA2 Rev A	8 th February 2010	3 Bed Detached/ End Mews
4B02 Rev A	8 th February 2010	4 Bed Detached
4CA2 Rev A	8 th February 2010	4 Bed Detached (Plot 62 only)
4CA2 Rev A	8 th February 2010	4 Bed Detached (Plots 25, 26, 52, 53 and 56)
4CA2 Rev A	8 th February 2010	4 Bed Detached Floor Plans
4FB2 Rev A	8 th February 2010	4 Bed Detached
4HA2 Rev A	8 th February 2010	4 Bed Detached (Plot 1 only)
4HA2 Rev A	8 th February 2010	4 Bed Detached (Plot 2 only)
4HA2 Rev A	8 th February 2010	4 Bed Detached (Plot 3 only)
4OR2 Rev A	8 th February 2010	4 Bed Detached
4PR2 Rev B	19 th March 2010	4 Bed Detached
5GA2 Rev C	19 th March 2010	5 Bed Detached
5GA2 Rev C	19 th March 2010	5 Bed Detached Floor Plans
LDS-137-01A	19 th March 2010	Landscape Master Plan
5TA2 Rev A	8 th February 201	5 Bed Detached
5TA2	8 th February 201	5 Bed Detached Floor Plans
	8 th February 2010	Double Garage and Games Room (Plots 53/54, 55 and 58 only)
		Garage and Fence Details
P.083.09.02 Rev A	8 th February 201	Arboricultural Implications
P.083.09.01	8 th February 201	Tree Survey
LDS-137-02	8 th February 201	Equipped Play Area
BHWL78/04	8 th February 201	Site Location Plan
BHWL78/02 Rev A	8 th February 201	Street Scenes
BHWL78/03 Rev A	8 th February 201	Street Scenes
01-10	25 th March 2010	Proposed Section Plots 40, 59, 56 & 54

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

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

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

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

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

5. 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.

6. 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 area(s) 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.

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

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.

8. 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.

9. No dwelling hereby permitted shall be occupied until the highway alterations to the site access with Sandy Lane have been completed in accordance with the approved plans.

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

10. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with plans which have been submitted to and approved 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

11. The surface water drainage scheme for the development hereby approved shall be carried out in accordance with the submitted supplemental flood risk assessment prepared by Lees Roxburgh Ltd (Report number 103524 dated March 2010)

Reason: To reduce the risk of flooding at the site and in accordance with Government advice contained in PPS25: Development and Flood Risk.

12. 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.

13. The pedestrian and cycle improvements to Sandy Lane and Radburn Bridge, specified on the approved plans, shall be constructed and completed prior to the occupation of the dwellinghouses hereby permitted.

Reason: In the interest of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

14. Prior to the commencement of the development hereby permitted the further investigation works and any proposed remediation shall be carried out in accordance with the recommendations set out in the submitted Geo-Environmental Assessment Report prepared by Brownfield Solutions Ltd (reference AJH/C1307/865) and in accordance with a suitable remediation strategy. The further works shall include a complete gas monitoring programme to adequately characterise risks to the proposed end users from ground gases; installation of suitable gas protection measures (where required); investigation of the extent of hydrocarbons and of peat to identify removal or treatment as required; where the remedial strategy dictates import clean cover into garden and landscaping areas (600mm and 450mm respectively) and validation of cover system. The further works and suggested remedial measures recommended in Section 9 and 10 of the submitted report.

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

15. Upon completion of the remediation works a validation report containing any validation sampling results shall be 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 and in accordance with Government advice contained in PPS23: Planning and Pollution Control

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

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

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

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

18. Prior to the commencement of the development hereby permitted the vehicular access link through the car park of the Lord Nelson Public House shall cease to be used. Full details of the measures to be implemented to prevent vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed pedestrian/ cycle link. The development thereafter shall be carried out in accordance with the approved scheme.

Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
