

## **APPLICATION REPORT – 21/01247/FUL**

**Validation Date: 11 November 2021**

**Ward: Chorley North East**

**Type of Application: Full Planning**

**Proposal: Demolition of four buildings and part demolition of a fifth building and erection of three detached dwellings**

**Location: Lower House Fold Farm Trigg Lane Heapey Chorley PR6 9BZ**

**Case Officer: Mike Halsall**

**Applicant: Mr Adam Higham**

**Agent: Mr Chris Weetman**

**Consultation expiry: 3 December 2021**

**Decision due by: 15 July 2022 (Extension of time agreed)**

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### **RECOMMENDATION**

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

### **SITE DESCRIPTION**

2. The application site is located within the Green Belt on Trigg Lane, off Brinscall Mill Road, approximately 1.5km south east of Wheelton and 1.2km south west of Brinscall. The site contains a complex of different buildings comprising dwellings, stables, storerooms, paddocks and other associated hardstanding and buildings that together make up a large and well-established Livery and Stud business.
3. The site is mostly surrounded by open agricultural land, apart from a small cluster of dwellings to the south west, including the Grade II listed Lower House Fold Farm with adjoining barn. Further to the south west there is a cluster of disused buildings in a poor state of repair where Outline planning permission was recently refused at planning committee for the redevelopment of the site for residential use.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

4. The application seeks full planning permission for the demolition of four existing buildings, the part demolition of a fifth building and the erection of three detached dwellings.
5. One of the proposed dwellings would be located to the east of an existing dwelling, Bluebell Cottage, following the demolition of three existing buildings in this location, close to the site entrance from Trigg Lane. This is identified as Plot 1 on the Site Plan and House Type A on the submitted elevations drawing. The other two dwellings are on Plots 2 and 3 (House Type B) would be located approximately 40m to the north east on an existing paddock area, just beyond where the largest of the buildings to be demolished (in terms of floor area) is currently located. The fifth building which is to be partially demolished is located to the east of the site entrance.

6. Each dwelling would have three parking spaces to the front and gardens to the rear. The design of the proposed dwellings has been amended by the applicant following comments made by the Council's heritage advisors.
7. The dwelling proposed to be located closest to the site entrance, and the aforementioned listed building (24m away), is similar to that of the existing dwellings to the west being two storey and of stone construction with quoins, slate roof and relatively small openings. The other two dwellings would be of the same materials but of a more contemporary form with a second floor in the roof space, forward projecting gable and balconies to the rear.

## **REPRESENTATIONS**

8. No representations have been received.

## **CONSULTATIONS**

9. Lancashire Highway Services (LCC Highway Services): have responded to state they have no objection to the proposal.
10. Greater Manchester Ecology Unit: has responded with no objection to the proposal, subject to conditions and informative notes being attached to any grant of planning permission relating to the safeguarding of protected species and the provision of ecological enhancement measures.
11. Regulatory Services - Environmental Health Officer: has not responded on this occasion.
12. Waste & Contaminated Land Officer: has responded to suggest that, due to the sensitive end-use of the development (residential housing with gardens) on previously developed land, the applicant submits to the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.

The above can form the basis of a suitably worded planning condition.

13. United Utilities: have responded with no objection to the proposal and have recommended conditions be attached to ensure the site is sustainably drained in accordance with the drainage hierarchy and that surface and foul water be drained on separate systems.
14. Heapey Parish Council: have not responded on this occasion.
15. Lancashire County Council Emergency Planning Officer: has responded with no comments on the proposal.

## **PLANNING CONSIDERATIONS**

### Principle of development

16. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the Framework. Section 13 of the Framework confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.
17. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that 'very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

18. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 149 of the Framework in relation to development that need not be considered inappropriate development in the Green Belt is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.
19. The equestrian use, buildings and other associated development of this site is well established and falls within the definition of previously developed land specified at Annex 2 of the National Planning Policy Framework.
20. Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment which is considered further below, along with objective criteria of making that assessment. It is considered that in respect of the Framework, the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of existing buildings on the site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt".
21. To engage with the exceptions of paragraph 145 of the Framework, which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the site.
22. Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that the appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.
23. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. The existing site currently has an impact on the openness of the Green Belt through the presence of the substantially sized equestrian related buildings and other associated development. However, it is important to note that merely the presence of existing buildings on the application site currently does not justify any new buildings. The new buildings must also not "have a greater impact on the openness of the Green Belt". Case law has established that for there to be a greater impact, there must be something more than merely a change.
24. The proposal seeks to demolish four of the existing buildings and part of a fifth building to offset the harm to openness arising from the erection of three dwellings.
25. The volume of each of the existing buildings to be demolished, in cubic metres, is provided below:  
  
  - Building 1: 168.05
  - Building 2: 437.55
  - Building 3: 64.68
  - Building 4: 891.72
  - Part Building 5: 436
  - Total: 1,998.00
26. The volume of the proposed dwellings are 851.52 cubic metres for House Type A and 830.85 cubic metres for House Type B. This gives a total proposed volume of 2,513.22 cubic metres.

27. The proposed dwellings would therefore result in an increase in built volume at the site of approximately 26% or 515.22 cubic metres. In terms of floor space, the existing buildings to be demolished cover approximately 682 square metres, whereas the proposed dwellings would cover approximately 327 square metres. This would result in a reduction of floor space covered by built development of approximately 52% or 355 square metres. The Council will typically allow for uplifts in volume of up to 30% without the proposal resulting in a greater impact upon the openness of the Green Belt.
28. As a result of the reduced surface area of built development and the increase in volume being within the Council's agreeable threshold, the spatial impact of the proposed development would be similar to that of the existing development. The visual impacts would also be improved due to a reduction in the overall massing of buildings at the site and the sense of openness would be enhanced, including the scope for soft landscaping. As such the impact on openness when considering the site as a whole would be no greater than the existing development.
29. Given the above, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and as such would not represent inappropriate development in the Green Belt.

#### Impact on designated heritage assets

30. The principal statutory duty under the P(LBCA) Act 1990 is to preserve the special character of heritage assets, which includes 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."*

31. Section 16 of the National Planning Policy Framework (the Framework) refers to conserving and enhancing the historic environment. The following paragraphs contained therein are considered to be pertinent in this case:

194. In determining applications, local planning authorities should require an applicant to describe the significance of any heritage assets affected, including any contribution made by their setting. The level of detail should be proportionate to the assets' importance and no more than is sufficient to understand the potential impact of the proposal on their significance. As a minimum the relevant historic environment record should have been consulted and the heritage assets assessed using appropriate expertise where necessary. Where a site on which development is proposed includes, or has the potential to include, heritage assets with archaeological interest, local planning authorities should require developers to submit an appropriate desk-based assessment and, where necessary, a field evaluation.

195. Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.

197. In determining applications, local planning authorities should take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;

b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and

c) the desirability of new development making a positive contribution to local character and distinctiveness.

199. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

200. Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification. Substantial harm to or loss of:

a) grade II listed buildings, or grade II registered parks or gardens, should be exceptional;

b) assets of the highest significance, notably scheduled monuments, protected wreck sites, registered battlefields, grade I and II\* listed buildings, grade I and II\* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

201. Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

a) the nature of the heritage asset prevents all reasonable uses of the site; and

b) no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and

c) conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible; and

d) the harm or loss is outweighed by the benefit of bringing the site back into use.

202. 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.

206. Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset (or which better reveal its significance) should be treated favourably.

32. The Central Lancashire Core Strategy (2012) (the Core Strategy), policy 16 refers to Heritage Assets. This policy mirrors that given in the Framework and states that it seeks to:

*'Protect and seek opportunities to enhance the historic environment, heritage assets and their setting by:*

*a. Safeguarding heritage assets from inappropriate development that would cause harm to their significances.'*

33. The Chorley Local Plan 2012 – 2026, policy BNE8 refers to the Protection and Enhancement of Heritage Assets. Essentially this policy mirrors the Framework. Paragraph b, states that, *'Applications will be granted where they sustain, conserve and, where appropriate, enhance the significance, appearance, character and setting of the heritage asset itself and the surrounding historic environment and where they show consideration for*

*the following: iii, The Conservation and, where appropriate, the enhancement of the setting of heritage assets.'*

34. The Council's heritage advisor, Growth Lancashire, have concluded that the proposal will result in some harm to the contribution made by the setting on the significance of the heritage asset. They regard this harm to the overall significance of the listed building to be low. On this basis, the revised scheme as presented causes 'less than substantial harm' and should be assessed under paragraph 202 of the National Planning Policy Framework.
35. The public benefits of the scheme need to be weighed against the identified low level of harm. There are a number of public benefits of the scheme in terms of improving the character and appearance of the site and the provision of housing. It is considered that these benefits would outweigh the identified harm, and as such the proposal conforms with S.66 of the Planning (Listed Buildings and Conservation Areas) Act 1990, Chapter 16 the Framework, policy 16 of the Core Strategy and policy BNE8 of the Chorley Local Plan 2012 - 2026.

#### Impact on character and appearance of locality

36. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that planning permission will be granted for new development, including extensions, conversions and free-standing structures, provided that (amongst other things):
  - "a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.*
  - c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;"*
37. The existing buildings proposed for demolition and other surrounding buildings to be retained are of a functional nature akin to their equestrian use. They do not contribute to the character of the area in any positive way. Other buildings to the south west, including the listed building, are of a traditional cottage / farmhouse design and mostly contribute positively to the character of the area, being of stone construction, albeit one has been rendered. These dwellings form a horseshoe shape around a central courtyard / parking area. Part of the listed building located closest to the proposed development has fallen into disrepair and is in a very poor condition. Similarly, the buildings further to the south east are in an extremely poor condition and are harmful to the character and appearance of the area.
38. The section of Trigg Lane terminates at the application site, although there are Public Rights of Way through the site where the proposed dwellings would be seen. House Type A on Plot 1 would be seen in the context of the existing dwellings, including the listed building, and whilst it would be taller than the existing cottages, it would be set back from the existing dwellings and so the impact of the height difference would be softened.
39. Whilst the proposed dwellings would be relatively large compared to the existing dwellings, their size is consistent with modern living standards. Given the remote location of the site, the proposed dwellings are considered acceptable in terms of size, scale, massing and design. The appearance of the dwellings would fit with the rural character of the area. The final choice of externally facing materials and landscaping details can be controlled by planning condition. As such it would be an acceptable design response in the context of this site, which is already occupied by large equestrian buildings.
40. Overall, the proposed development is an appropriate design response to the site and would have a positive impact on the appearance of the site and character of the area in consideration of the present buildings, and would not have a detrimental impact on the surrounding area. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to design.

### Impact on neighbour amenity

41. 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.
42. The dwelling on Plot 1 is proposed to be located side-on and over 13m to the east of the nearest dwelling, Bluebell Cottage. The only side-facing window in the proposed dwelling would serve a bathroom at first floor level. Whilst the facing side elevation of Bluebell Cottage may contain habitable room windows, the interface distance meets the Council's minimum standards. The other two dwellings on Plots 2 and 3 would sit side-by-side and would be well separated from any existing dwellings. They would contain no side facing windows serving habitable rooms. They would both include Juliette balconies serving a bedroom and a rooftop balcony over a single storey rear projection. It would be necessary for privacy screens to be installed in the inner sides of the balconies to avoid direct overlooking into each-others rear private gardens. This could be controlled by planning condition.
43. It is considered that the development would not adversely impact on the amenity of any existing or future occupiers and the proposal complies with policy BNE1 in this regard.

### Highway safety

44. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
45. The dwellings would be accessed via an existing site access point from Trigg Lane. The site layout plan adequately demonstrates that the site would provide off street parking and vehicle manoeuvring areas for at least three vehicles per dwelling, in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A for a four or more bedroom dwelling of the types proposed.
46. LCC Highways have assessed the proposal and do not have any objections regarding the proposed erection of the dwellings following demolition of existing buildings. The proposal is considered to be acceptable in terms of highway safety having regard to Chorley Local Plan policy BNE1 (d).

### Flood risk and drainage

47. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water being managed by package treatment plant and surface water draining in the most sustainable way.
48. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
  1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
49. United Utilities have responded with no objection to the proposal and have recommended that the applicant implements a scheme in accordance with the surface water drainage

hierarchy outlined above and that foul and surface water be drained on separate systems. These issues can be controlled by suitably worded planning conditions.

### Ecology

50. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
51. The Council's ecological advisors have responded with no objection to the proposal and have recommended conditions in relation to protecting bats, birds, the eradication of invasive species and the provision of biodiversity enhancement measures and have confirmed they consider the proposal would have no notable impact upon the Ribble SPA. It is, therefore, not considered that any further assessment is required of the proposed ecological impacts of the proposal and it is considered acceptable in this regard, i.e. an Appropriate Assessment is not required. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

### Public open space

52. 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.
53. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states 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.
54. In the determination of planning applications, the effect of the national policy is that although 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 as compared with the new national policy.
55. Consequently, the Council must determine what lower thresholds are appropriate based on local circumstances as an exception to national policies. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
56. There is currently a deficit of provision in Chorley North East in relation to this standard. However, a financial contribution for off-site provision can only be requested if there is an identified scheme for new provision and at present there are none identified in the settlement and, therefore, no contribution can be sought.

### Sustainability

57. 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 1st 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:



58. "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."
59. "Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance."
60. 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 could be controlled by a condition.

#### Other issues

##### *Hazards*

61. Part of the site is located on the periphery of a consultation zone associated with an explosives manufacturing and storage facility at Redcliffe International (Shipping) Ltd, Heapey Storage Depot. Lancashire County Council's Emergency Planning Officer has however reviewed the proposals and has no comments to make. The proposal is located approximately 800m from the facility in question and there is already housing located much closer to the facility than the application site. The proposal is therefore considered to be acceptable with regards to any risk associated with the aforementioned facility.

##### *Mineral Safeguarding*

62. The site is located within a Mineral Safeguarding Area protected from incompatible forms of development by policy M2 of the Joint Lancashire Minerals and Waste Local Plan - Site Allocation and Development Management Policies - Part One 2013. The policy seeks to ensure that potential underlying mineral resources are not needlessly sterilised by development. In this instance, the application site has already been developed and so any underlying resource has already been sterilised. There is therefore no conflict with policy M2 as a result of this proposal.

##### *Public Rights of Way*

63. Public Rights of Way FP13 and FP15 cross through the application site through open areas of hardstanding between existing buildings. There is no reason to consider that the footpaths would be impacted by the proposal and an informative note can be attached to any grant of planning permission to highlight the location of the footpaths to the applicant and setting out their duties in ensuring they remain unobstructed.

#### Community Infrastructure Levy

64. 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

65. It is considered that the proposed development would not be inappropriate development in the Green Belt as it would accord with exception g of paragraph 149 of the Framework. Further, the proposal would ensure the protection of neighbouring residential amenity in accordance with the aims of policies within the Framework and the Chorley Local Plan 2012 – 2026 that seek to achieve sustainable development. It is also considered that the proposed development would have no detrimental impact on the character of the area and would not give rise to undue harm to ecology, drainage, heritage assets or highway safety.

## RELEVANT HISTORY OF THE SITE

**Ref:** 96/00294/COU **Decision:** PERFPP **Decision Date:** 9 October 1996  
**Description:** Change of use of cow sheds and dairy to livery stabling and stabling for own horses,

**Ref:** 21/00958/OUT **Decision:** REFOPP **Decision Date:** 4 February 2022  
**Description:** Outline planning application for residential development (all matters reserved)

**Ref:** 88/00749/COU **Decision:** PERFPP **Decision Date:** 21 February 1989  
**Description:** Change of use of disused farm building into dwelling

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

### Suggested Conditions

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

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

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

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

Title	Plan Ref	Received On
Location Plan	21/112/L01	19 October 2022
Proposed Site Plan	21/112/P01 Rev B	6 June 2022
House Type A (4H2137) - Proposed Plans & Elevations	21/112/P02 Rev B	6 June 2022
Plot 3 - House Type B (5H2635) - Proposed Plans & Elevations	21/112/P03 Rev B	17 June 2022
Plot 2 - House Type B (5H2635) - Proposed Plans & Elevations	21/112/P04	17 June 2022

3. Prior to any works taking place above DPC level, the following details shall be submitted to and approved in writing by the Local Planning Authority:

- a) Details of the colour, form and texture of all external facing materials to the proposed dwelling

- b) Details of the colour, form and texture of all hard ground- surfacing materials.
- c) Location, design and materials of all fences, walls and other boundary treatments.
- d) Existing and proposed ground levels and finished floor level of the proposed dwelling.
- e) A scheme for the landscaping of the development and its surroundings to include the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded and detail any changes of ground level or landform.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwelling hereby permitted all fences and walls shown in the approved details to bound its plot shall have been erected in conformity with the approved details.

*Reason: In the interests of the visual amenities and character of the area and to provide reasonable standards of privacy to residents.*

4. Prior to the commencement of the development, other than demolition and enabling works, details of a scheme for the mitigation and biodiversity enhancement of the site shall be submitted to and approved in writing by the Local Planning Authority. The approved mitigation measures shall be carried out prior to the occupation of any of the dwellings and should consist of house sparrow nesting habitat.

*Reason: Due to the loss of swallow nesting opportunities at the site and need for biodiversity enhancement.*

5. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present.

*Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).*

6. 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.*

7. Prior to the construction of the superstructure of the dwelling hereby permitted, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. 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 reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.*

8. The approved dwelling shall not be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

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

9. Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.

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

10. Any new external lighting should be designed to minimise the impact on nocturnal wildlife.

*Reason: To avoid disturbance of nocturnal wildlife.*

11. Prior to the first occupation of any of the dwellings hereby permitted, all existing buildings labelled B1 to B5 on the Location Plan & Existing Site Layout drawing (ref. 21/112/L01) submitted on 19 October 2021 shall have been demolished and all resultant materials removed from the site.

*Reason: To protect the openness of the Green Belt.*

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

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