

APPLICATION REPORT – 22/00210/FUL

Validation Date: 10 March 2022

Ward: Ecclestone, Heskin And Charnock Richard

Type of Application: Full Planning

Proposal: Demolition of existing buildings and erection of three detached dwellings with associated works and landscaping

Location: Wright's Garden Centre New Lane Nurseries New Lane Ecclestone Chorley PR7 6NB

Case Officer: Mike Halsall

Applicant: Mr Robert Wright, Universal Ground Care Limited

Agent: Mr Christie McDonald, Steven Abbott Associates LLP

Consultation expiry: 4 April 2022

Decision due by: 20 January 2022 (Extension of time agreed)

RECOMMENDATION

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

SITE DESCRIPTION

2. The application site is located in the Green Belt on the western side of New Lane in Ecclestone. The application site forms part of a larger site previously used as a nursery with a farm shop and a tea-room. In 2021, a lawful development certificate was issued by the Council for the existing use of the larger site as a construction and groundwork business which includes the storage of vehicles and equipment with ancillary offices (sui generis use class). The application site boundary also includes additional land fronting New Lane that was previously the side garden of no.7 New Lane, located to the south of the dwelling, but has since been separated and fenced-off from the property.
3. The application site contains five buildings and hardstanding areas for car parking / manoeuvring and outside storage of materials. The site access is located to the south of the dwelling of no. 7 New Lane, to the east of the existing buildings.
4. The application site is surrounded by no. 7 New Lane to the east, open agricultural fields to the south and small grassed fields to the north, which contain some small sheds/storage buildings, beyond a row of trees that line the northern site boundary. The remainder of the former nursery site is located to the west and consists of overgrown scrubland with the frame of a large polytunnel building still in situ.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks full planning permission for the erection of three detached dwellings with detached garages, following the demolition of the existing buildings at the site. Two dwellings would face south, behind and side-on to the rear of no.7 New Lane. One dwelling would face the site access (east). The dwellings would be orientated around a central

turning head/ courtyard. The section of the site to the south of no.7 New Lane is proposed to remain open and free from development.

REPRESENTATIONS

6. One representation has been received from Councillor Steve Holgate who has objected to the proposal, stating that the site is located in the Green Belt with no special circumstances.

CONSULTATIONS

7. Ecclestone Parish Council: have not responded on this occasion.
8. Waste & Contaminated Land Officer: has responded to confirm he has no comments to make in relation to the proposal.
9. Greater Manchester Ecology Unit: initially responded to request details of Great Crested Newt mitigation which resulted in the applicant engaging with Natural England to commence the process of obtaining a District Level Licence. They also requested further bat surveys be undertaken in support of the proposal. Following the receipt of such evidence, the Council's ecological advisors responded with no objection to the proposal and have suggested conditions and informative notes be attached to any grant of planning permission to safeguard protected species, avoid the spread of invasive species and deliver ecological enhancements.
10. Lancashire Highway Services (LCC Highway Services): have responded with no objection to the proposal, stating that the proposed development will not have a significant impact on highway safety, capacity or amenity in the immediate vicinity of the site. They requested the garages be increased in size to meet their requirements for being classed as a parking space. The applicant amended the drawings as requested. LCC Highway Services have also requested a footway be installed as part of the scheme, stating that:

“the site is at the southerly end of a row of residential properties with dwellings opposite. There is a 30mph speed limit in this residential section which is lit by system of street lighting. There is footway on the opposite side of the lane and grass verge on from the site to No 6 New Lane. With the proposal for three dwellings for safe and sustainable pedestrian movements going north towards the shop/ garage, public house and bus stops on Southport Road it is requested that a continuous 2m wide footway is introduced in the adopted highway verge fronting No 7 New Lane. The footway would be constructed with a s278 agreement for the off-site highway works.”

LCC Highway Services have also suggested conditions be attached to any grant of planning permission in relation to agreeing and implementing the off-site highway works, the retention of the garages for parking vehicles and the submission and implementation of a traffic management plan.

11. Natural England: initially responded to request an assessment of the potential impacts on the proposal upon designated ecological sites. Following the receipt of such information from the applicant, Natural England have responded with no objection to the proposal.

PLANNING CONSIDERATIONS

Principle of development

12. 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.

13. 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.
14. 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 of 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.
15. As previously noted, the application site, and further land to the west, benefits from a lawful development certificate, ref. 21/00670/CLEUD as a construction and groundwork business which includes the storage of vehicles and equipment with ancillary offices (sui generis use class). Whilst it has become physically separated, the lawful use of the land to the south of no.7 New Lane appears to be garden land associated with the dwelling. This demonstrates that the entire application site falls within the definition of previously development land identified at Annex 2 of the Framework.
16. Whilst the test for the proposed redevelopment of 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".
17. 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.
18. 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.
19. 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 existing 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.
20. The proposal seeks to demolish the existing buildings at the application site in order to offset the harm to openness arising from the erection of three dwellings, each with a detached garage. The proposed dwellings would be located on similar footprints as the existing buildings. The applicant's calculations, which have been verified by the case officer, identify that the proposed dwellings and garages would result in an increase in built volume of approximately 5%, from approx. 1910 cubic metres to 1985 cubic metres. The floor space taken up by built development would reduce from approximately 600 square metres to 400 square metres. These calculations are however only based upon four of the

existing five buildings at the site. The fifth building proposed for demolition is a glasshouse which has not been included within the applicant's calculations. If the glasshouse was to be included, the proposal would likely be shown to result in a substantial reduction in the floor space and built volume at the site.

21. The proposed dwellings would have a slightly higher maximum height of circa. 1.5m compared to that of the tallest existing building proposed for demolition. As a result of the reduced volume and surface area of built development, the spatial impact of the proposed development would be significantly less than the existing development. The visual impacts would also be improved, regardless of the slight increase in height of buildings, due to a reduction in the 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 whole would be no greater than the existing development.
22. Given the above, it is considered that the proposed development would not have a materially 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 character and appearance of locality

23. 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;"*
24. The existing buildings proposed for demolition are of a functional nature akin to their use. They do not contribute to the character of the area in any positive way. Views of the part of the site proposed for development from New Lane and Southport Road are screened by vegetation and dwellings as the site is located to the rear of existing dwellings and set back 40m from New Road. There are no Public Rights of Way close to the site. Existing dwellings on New Lane and Southport Road are typically two storey semi-detached dwellings, although there are some bungalows on the eastern side of New Lane, opposite the site access. The dwellings are of a traditional design of red brick and slate roofs, positively contributing to the character of the immediate area.
25. Whilst the proposed dwellings would be slightly larger in terms of footprint than other dwellings in the immediate area, they would be similar in choice of materials with red brick and natural slate roofs, whilst incorporating some modern elements in the form of render and charcoal PVC-u joinery. The dwellings would not be visually prominent from public vantage points, but nevertheless, the proposal is considered acceptable in terms of size, scale, massing and design. The appearance of the dwelling would fit with the character of the area and would complement the existing dwellings. 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 buildings.
26. 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 the design.

Impact on neighbour amenity

27. 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, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses. The policy is considered to be consistent with the Framework and should be attributed full weight.
28. With regards to noise, dust and other pollution during the construction period, these would be short in duration and limited in intensity. Such impacts could be adequately controlled through a construction environmental management plan (CEMP) which can be required to be submitted to the Local Planning Authority for approval prior to works commencing.
29. All interface distances between the existing surrounding dwellings and the proposed dwellings either meet or exceed the Council's minimum guideline distances and so are considered acceptable. The proposed dwellings have been designed in such a way so as to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.
30. In light of the above, it is considered that the proposal is acceptable in terms of amenity impacts and accords with national policy and policy BNE1 of the Chorley Local Plan in this regard.

Highway safety

31. 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.
32. The application site would be accessed via an existing access point from New Lane. The site layout plan adequately demonstrates that the site would provide off street parking and vehicle manoeuvring areas for at least three vehicles in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A for four bedroomed dwellings of the type proposed.
33. 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 applicant has agreed to fund off-site improvement works that have been suggested by LCC Highway Services. 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

34. Policy 29 (Water Management) of the Core Strategy seeks to improve water quality, water management and reduces the risk of flooding in a number of ways including, among other things, appraising, managing and reducing flood risk in all new developments. The policy is considered to be consistent with the Framework and should be attributed full weight.
35. The site is in Flood Zone 1 (the lowest risk) as identified by the Environment Agency and consists mainly of hardstanding. The proposal would offer an increase in the permeable area of the site through gardens and other areas of landscaping. The Planning Practice Guidance (PPG) establishes a hierarchy for surface water disposal, which encourages a Sustainable Urban Drainage System (SuDS) approach. Generally, the aim should be to

discharge surface run off as high up the following hierarchy of drainage options as reasonably practicable:

- into the ground (infiltration);
- to a surface water body;
- to a surface water sewer, highway drain, or another drainage system;
- to a combined sewer.

36. The above can be secured through the imposition of a planning condition and the proposal is considered acceptable in this respect.

Ecology

37. 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.
38. The Council's ecological advisors have recommended conditions and informative notes to be attached to any grant of planning permission, as explained above. It is also considered appropriate to attach a planning condition to ensure that a District Level License is obtained from Natural England for this site, prior to any development taking place. This is due to several ponds being located within 500m of the application site that have previous records of great crested newt (GCN), and these ponds have direct habitat connectivity to the ponds that have been identified within 250m of the development site. This increases the likelihood of great crested newts being present within those ponds, and therefore impacted upon by the proposals. The ecology report has identified an amber risk for habitat loss and red risk for individual newts as a result of the proposed work.
39. GCN are protected in the UK under the Wildlife and Countryside Act, 1981. They are also a Priority Species under the UK Post-2010 Biodiversity Framework and listed as a European Protected Species under Annex IV of the European Habitats Directive.
40. District level licensing (DLL) schemes operate in certain parts of England to better protect great crested newt (GCN) populations. DLL offers an alternative approach to licensing whereby more habitat is created than lost to development (at a ratio of four to one). Developers must pay for this new habitat based on the predicted impact of their development which covers the creation or restoration of ponds in areas modelled to make 'more, bigger, better, more joined up' great crested newt populations. New habitat is delivered by conservation bodies, like the Wildlife Trusts, and maintained and monitored for 25 years – all funded by the initial payment. The applicant has provided an Impact Assessment and Conservation Payment Certificate which has been counter-signed by Natural England. They have therefore completed the relevant stages of the DLL process outlined in National guidance¹, i.e. Stages 1 to 3, and the planning application can therefore proceed to a decision.
41. A valid bat report has been provided in support of the planning application. This assessed two buildings as having negligible bat roosting potential, one with low potential and one with moderate bat roosting potential. All trees had negligible bat roosting potential. The Council's ecological advisors have stated that they have no reason to doubt the findings of the assessment. Two further dusk surveys were carried out in line with best practice. On one occasion one bat was recorded as emerging from one of the buildings confirming the presence of an occasionally day roost. A license will therefore be required from Natural England in addition to planning permission. Given only one bat, the most common species was recorded once out of two surveys, the Council's ecological advisors are satisfied that mitigation is feasible and that a license will be issued by Natural England on receipt of an application with adequate mitigation to safeguard the favourable conservation status of this

¹ [Developers: how to join the great crested newt district level licensing scheme - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/developing-a-district-level-licensing-scheme)

species and a planning condition would be attached to any planning permission in this regard.

42. 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. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

Impact on trees

43. Policy BNE10 (Trees) stipulates, among other things, that proposals that would result in the loss of trees, woodland areas or hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.
44. The trees located to site boundaries, mostly Silver Birch and Conifers, are not considered to offer a high amenity value and are not of a high quality. Trees to be retained would be required to be protected during site works and this can be controlled by planning condition. A landscaping plan would also be required by condition to compensate for any loss of trees as part of the proposal. The proposal is considered to be acceptable in this regard and complies with the above policy.

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. The Council does not require contributions for amenity greenspace, parks and gardens, allotments or playing pitches for proposals of fewer than 11 dwellings.

Provision for children/young people

46. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Chisnall 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. A contribution towards improvements is therefore also not required from this development.
47. In light of the above, no financial contribution is required from the applicant towards the delivery or improvement of public open space.

Sustainability

48. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However, 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.”

49. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Building Regulations 2022 have now been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This exceeds the Council’s previous requirement and now supersedes the requirement for a planning condition.

Community Infrastructure Levy

50. 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

51. 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 or highway safety. The application is therefore recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 21/00670/CLEUD **Decision:** PEREUD **Decision Date:** 21 July 2021
Description: Application for a certificate of lawful development for an existing use as a construction and groundwork business which includes the storage of vehicles and equipment with ancillary offices (sui generis use class)

Ref: 89/00530/FUL **Decision:** PERFPP **Decision Date:** 5 September 1989
Description: New farm shop agricultural store and garage

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:

Title	Plan Ref	Received On
Site Location Plan	SAA.3322.2	21 December 2022
Plans	828/05B	8 April 2022
Plot 1 Dwelling Plans	828/10A	23 February 2022
Plot 2 Dwelling Plans	828/20	23 February 2022
Plot 3 Dwelling Plans	828/30	23 February 2022
Plot 1 Elevations	828/11A	23 February 2022
Plot 1 Elevations	828/12A	23 February 2022
Plot 2 Elevations	828/21	23 February 2022
Plot 2 Elevations	828/22	23 February 2022
Plot 3 Elevations	828/31	23 February 2022
Plot 3 Elevations	828/32	23 February 2022
Garage	828/15A	8 April 2022

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

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 dwellings.
- 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 dwellings.
- 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 proposals shall be designed to ensure a net gain in the biodiversity value of the site.

The development thereafter shall be completed in accordance with the approved details. Prior to the first occupation of the dwellings 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. 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).

5. 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.

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

Reason: To avoid disturbance of nocturnal wildlife.

7. Prior to any earthworks or vegetation clearance, a reasonable avoidance measures method statement for mammals such as hedgehog and amphibians such as common toad, covering site clearance and construction phases, will be provided to and agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting mammals and amphibians.

8. The demolition of building 1 is likely to cause harm to common pipistrelle bats as identified in the Dusk Survey Results by Tyrer Ecological Consultant Ltd at Section 5 and shall not in any circumstances commence unless the Local Planning Authority has been provided with either:

- a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead:
- or
- b) a statement in writing from the Council's ecological advisors to the effect that it does not consider that the specified development will require a license.

Reason: To safeguard a protected species.

9. Prior to the commencement of development, including demolition work, evidence of the District Level License relating to Great Crested Newt habitat mitigation from Natural England shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To mitigate the harm caused to a protected species.

10. No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

11. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the above condition has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority.

Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.

12. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: To allow for the effective use of the parking areas.

13. Prior to the commencement of development a Traffic Management Plan (TMP) shall be submitted to and approved in writing by the Local Planning Authority (in conjunction with the highway authority). The TMP shall include and specify the provisions to be made for the following:-

- The parking of vehicles of site operatives and visitors;
- Loading and unloading of plant and materials used in the construction of the development;
- Storage of such plant and materials;
- Wheel washing facilities;

Reason: To protect existing road users and to maintain the operation and safety of the local highway network and to minimise the impact of the construction works on the local highway network.

14. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

Reason: To safeguard the trees to be retained.