

**Item**                      **10/00833/FULMAJ**

**Case Officer**            **Caron Taylor**

**Ward**                      **Coppull**

**Proposal**                **Erection of 25 no. two-storey dwellings and associated infrastructure (including 20% affordable dwellings)**

**Location**               **Land To The North Of Northenden Road With Access Off Moss Bank Coppull**

**Applicant**               **Persimmon Homes**

**Consultation expiry: 28 October 2010**

**Application expiry: 16 December 2010**

**Proposal**

1. This application is for the erection of 25 no. two-storey dwellings and associated infrastructure (including 20% affordable dwellings).

**Recommendation**

2. It is recommended that this application is granted planning permission, subject to conditions and a Section 106 Agreement.

**Main Issues**

3. The main issues for consideration in respect of this planning application are:
  - Principle of the proposal
  - Appearance, layout and scale
  - Access and parking
  - Impact on neighbour amenity

**History**

**Ref:** 97/00730/OUT **Decision:** Permitted **Decision Date:** 10 July 2001

**Description:** Outline application for 18 dwellings & construction of roads & sewers in connection with residential development. This consent lapsed in July 2004.

**Ref:** 04/00717/FULMAJ **Decision:** Withdrawn **Decision Date:** 29 September 2004

**Description:** Erection of 18 residential units and construction of associated roads and sewers

**Ref:** 04/01452/FULMAJ **Decision:** Withdrawn **Decision Date:** 4 March 2005

**Description:** Erection of 18 residential units (including optional conservatories) and construction of associated roads and sewers,

**Ref:** 05/00413/ADV **Decision:** Withdrawn **Decision Date:** 18 November 2005

**Description:** Retrospective application for the erection of a sign for a housing site

**Ref:** 05/00674/FULMAJ **Decision:** Refused **Decision Date:** 28 September 2005

**Description:** The erection of 16 residential units including optional conservatory positions with associated roads and drainage. This was refused on housing land availability grounds, and the absence of affordable housing in the scheme. An appeal was submitted but withdrawn before it was determined.

## **Representations**

4. Three objections been received to the application on the following grounds:

- Impact of the access to the land; Chapel Street and Park Road are not suitable for heavy vehicles;
- There is a school in Park Road;
- Impact on wild animals;
- Impact on the conservation area. Their boundary is a hawthorn hedge and is protected;
- There is a listed building within 50m from where some of the properties will be;
- Loss of privacy, noise and disturbance;
- Increase in vehicle activity of over 50 cars plus what is already in the cul-de-sac – health and safety impact on existing residents of Moss Bank and in close vicinity;
- Do not want low budget housing nearby;
- The land is contaminated;
- Previous applications for this site have been rejected on various grounds;
- What assessments have been done on the environmental and public impact on the area?;
- Why is the application being considered with the increase in housing stock in the application, is this due to the fact that 25% is affordable;
- Why can't another access be built elsewhere?

## **Consultations**

### Chorley Council Planning Policy

5. The site is a Green field site but is allocated for housing development (HS1.29) in the Local Plan, and is identified as Greenfield.
6. The layout plans submitted show an area to the west of the site identified as public open space, but no information is provided with the application concerning the landscaping or maintenance of this land, nor the protection of wildlife habitats, as required by Local Plan policy HS19. Similarly, no information is provided by the applicants concerning outdoor play space requirements, as set out in Local Plan policy HS21, and amended by the Council's Interim Planning Guidelines for new equipped play areas.
7. The site includes part of the 'Darlington Sidings and Clancutt Brook' biological heritage site, which abuts the northern boundary. Local Plan policies EP2 (biological heritage sites) and EP4 (species protection) are relevant. The main significances of the biological heritage site are that it contains species rich semi-natural woodland and grassland adjoining Clancutt Brook. The species rich areas include drains and issues immediately to the north of the site (and including part of it), which are outpourings from the mill lodge.
8. There is a public footpath running to the west of the site (FP23) and crossing into the site in the far south-west corner. Subject to the gradients, it may be possible to create pedestrian links from footpath that go further into the development site. In the far north-east corner of the site, there has previously been a water treatment works, and the previous application file made reference to possible soil contamination and instability.
9. This application has a close boundary with current application number 10/00735/OUTMAJ, separated by a very thin area of land which is owned by an unknown third party. This area is at the north-eastern edge of the application site and is within the biological heritage site. If housing development is acceptable on the neighbouring application site then careful consideration should be given to the protection and management of the biological heritage site, and the design and compatibility of the two sites. There is a steep gradient separating the two sites and so pedestrian vehicular links between the sites would not be appropriate, but there may be a problem of overlooking if the layouts are not co-ordinated. At the moment the two sites turn their backs on each other, and it may be that the two developers could be asked to collaborate, especially concerning overlooking, the investigation of possible soil contamination and instability, and with respect to the biological significances.

### Lancashire County Ecologist

10. Originally raised concerns regarding impacts upon the adjacent Biological Heritage Site and

great crested newts, however further information has been submitted by the applicant (see body of report).

#### Environment Agency

11. Originally objected to the application on the grounds of flood risk as a Flood Risk Assessment had not been carried out in accordance with PPS25, and impact on the aquatic environment as they hold records of Great Crested Newts within 500m of the site. However, following submission of an ecological report they withdrew their objection on harm to the aquatic environment subject to conditions. They have also withdrawn their objection on flood risk grounds subject to a condition (regarding surface water runoff, so it is restricted to existing rates) as the agent has clarified with them that the site is under 1 hectare in size.

#### Chorley Environmental Protection

12. Have no comments to make on the application.

#### United Utilities

13. Have no objection subject to a condition.

#### Chorley Council Contaminated Land Officer

14. Require conditions and informatives be added due to past processes and activities upon and adjacent to the above site, including a former sewage works as there is a potential for ground contamination.

#### Strategic Housing

15. State that 6 no. affordable units are proposed. The agreed tenure mix on the Development is: 4 x 2 bedroom units to be social rent and 2 x 2 bedroom intermediate units. In the first instance, the intermediate units will be offered to a Registered Social Landlord (RSL). If evidence could be supplied to the Council in the event of a RSL not being interested in the intermediate units i.e. name of RSL, RSL response including any offer for the units they have made, they will consider discounted sales.

#### Lancashire County Council Highways

16. State that fundamentally the scheme it is near acceptable from a highways point of view. However, the following need consideration [amended plans have been received since these comments, see body of report]:
- The footway requirements are not uniform. There are footways shown that could be deleted and footways missing where they are needed. They agree that pedestrians will want to cross the road to shorten their journey (and because footways could not be constructed on some sections), but consideration must be given to the desire lines, and the actual crossing point treatment to give pedestrians some priority.
  - Some drives are too short against the buildings and need to be a minimum of 6m long. These include Plots 1, 2, 5, 14, 15, 17, 18, 19, 21, 22, 23 and 24.

### **Assessment**

#### Principle of the development

17. The site is allocated for housing under Local Plan Policy HS1.29, which is a saved Local Plan policy. 6 of the 25 units proposed will be affordable which is in accordance with PPS3 and Local Plan Policy HS5. The development of the site is therefore acceptable in principle.
18. The proposed access from Moss Bank is not within the housing allocation but is within the settlement of Coppull covered by Policy GN1. Under Policy GN1 there is a presumption in favour of appropriate development subject to normal planning considerations and other policies and proposals of the Local Plan.

#### Appearance, Layout and Scale

19. Access to the site is from Moss Bank, a cul-de-sac of houses off Moss Lane. It is largely overgrown with rough grass and scrubby tree cover. There is a large level difference across the site (approximately 11m between the highest and lowest parts of the site). The land slopes down to the stream at the west and northern boundaries and the steeper valley sides are wooded. Beyond the stream to the west and north is open pasture. Existing housing abuts the

site to the south and east, with Coppull Enterprise Centre beyond to the north east of the site.

20. Policy HS4 covers the design and layout of residential developments. This states that proposals for residential development will be permitted provided a number of criteria are satisfied. The proposal is for 25 dwellings, 12 of which will be detached, 10 semi-detached houses and a row of 3 mews properties.
21. The layout of the parcel is restricted by the shape of the allocated site, being similar to an upside down 'L'. The proposed access will be off Moss Bank, currently a cul-de-sac with proposed properties situated on one side or the other of the new road as it winds through the site to a turning head at the end.
22. All the properties proposed are two-storey houses with their own gardens and parking. It is considered that the proposed development would respect the surrounding area in terms of scale, design, layout and style. The properties on Moss Bank that will be passed on the way into the development are two-storey detached and semi-detached properties granted planning permission in 1991. They are modern in their character also having their own gardens and off road parking, also being two-storey in nature. The site bounds with the properties on Mavis Drive which are a mixture of semi-detached and mews in nature and are also two-storey. It is considered that the proposed properties will be in keeping with the surrounding development in respect of HS4 and suitable materials can be controlled by condition.

#### Access and Parking

23. The scheme has been amended to overcome the footpath issues raised by Lancashire County Highways and the scheme is therefore considered acceptable in terms of access and road layout in accordance with policy TR4 of the Local Plan and Manual for Streets.
24. In terms of parking the proposal is for a mixture of 2, 3 and 4 bed properties. The four-bed units have either a single or double garage and a double driveway, and the three-bed properties all have at least two off road parking spaces. The two-bed properties vary; all have at least one off-road space with some having a tandem space.
25. Although the comments of LCC Highways are noted in relation the length of the spaces, the majority of the plots they list are the required 6m in length and Plots 2 and 5 have been amended so they are now 6m long. Although plots 15, 21 and 24 are still short, some of the two-bed properties only have one off road space and the garages on the four bed properties are of a smaller size than would normally be counted as a parking space, the parking across the site is considered acceptable. This is because the shape of the site means that properties will only be built on one side of the road. Therefore parking issues are less likely to be a problem and some on street parking will not be detrimental to the scheme either in highway safety terms or visually.
26. Subject to an appropriate condition ensuring garages are not converted to living accommodation without retention of sufficient parking spaces the proposal is considered acceptable in relation to access and parking in accordance with PPG13, PPS3, Manual for Streets and Local Plan policies HS4 and TR4

#### Neighbour Amenity

27. The proposal is considered to provide acceptable privacy and amenity levels for the proposed occupiers and to the residents of existing neighbouring properties in accordance with Local Plan policy HS4.
28. Within the site the proposal complies with the Council's Interface guidelines between properties. Due to the level difference across the site the properties on plots 14 to 25 will have retaining walls in their gardens. The proposed conservatories will be built on top of the retaining walls with steps down into the gardens as a lower level. It is considered necessary therefore to apply a condition in relation to fences and walls requiring details to be submitted for approval, to ensure appropriate height boundary treatments are secured on the higher retained areas and lower garden areas.

29. The properties on the northern boundary of the site will face towards the rear of the properties on Mavis Drive, however there will be 20m to the boundary with these properties which exceeds the Council's interface guideline of 10m and in addition the properties will be set several metres lower. The proposed properties on plots 5 – 13 will back on to Mavis Drive however there will be 11m from the nearest proposed property to the nearest existing one on Mavis Drive (no 31). The proposed properties on plots 3 and 4 fall short of the interface guideline in their relationship to The Nook situated on Northenden Road at 9m and 7.5m respectively, however they will be set at a lower level and will face towards the access road and side of the front garden of this property rather than the rear private garden. This relationship is therefore considered acceptable.
30. Outline permission has been granted for two bungalows in the grounds of The Hollies (ref: 08/00771/OUT). A full application has been approved (a full application was required rather than a reserved matters application as the bungalow was proposed in a slightly different location to that approved at outline) for one of these bungalows (ref: 10/00280/FUL). It is not considered that the proposal will have an unacceptable impact on them as the nearest proposed property on plot 1 will be side on, with no habitable room windows in the elevation facing towards the proposed bungalow, it will also be due north so will not result in overshadowing to it. Subject to a condition ensuring that no side windows are inserted in the south elevation of the property this relationship is considered acceptable.
31. There is a current outline application under consideration by the Council for residential development (ref: 10/00735/OUTMAJ) on land at Coppull Enterprise Centre. The sites are separated by land not in the ownership of either applicant, which banks steeply down to an intervening stream. It is not considered that due to the ownership issue and level difference that collaborative schemes between the two sites could be achieved. However, acceptance of the scheme now under consideration would not prevent satisfactory development being achieved on the Enterprise Centre site or result in interface issues between the two sites.

#### Sustainable Resources

32. Policy SR1 of the Sustainable Resources Development Plan Document applies, with all new dwellings required to meet level 3 of the Code for Sustainable Homes. The applicant has submitted a sustainable resources statement. Planning Policy advise that they accept the statement in terms of Policy SR1 with regard to criteria a), d) & e). In terms of criterion b) of the policy they agree that this criterion can be dealt with via condition. However, they recommend wording of proposed conditions that relate specifically to Policy SR1 and incorporate the requirement to meet the specified level of the Code for Sustainable Homes, rather than the suggested model condition as proposed in the statement.

#### Ecology

33. The site includes part of the 'Darlington Sidings and Clancutt Brook' biological heritage site, which abuts the northern boundary. Therefore Policies EP2 (biological heritage sites) and EP4 (species protection) of the local Plan are relevant.
34. Following original concerns by the County Ecologist the applicant has now quantified impacts upon the Biological Heritage Site and submitted information that indicates the small losses associated with this development can be offset through habitat creation and management of new and existing habitats. The ecologist advises this is reasonable and can be secured by planning conditions to ensure mitigation/compensation for impacts on the Biological Heritage Site and associated habitats.
35. A Great Crested Newt Method Statement has also been submitted which outlines an approach for the protection of great crested newts during construction, and the County Ecologist is satisfied that this is appropriate. They were originally concerned with the suggestion that domestic gardens will compensate (in part) for the loss of amphibian foraging habitat. This is not appropriate due to the inherent problem of ensuring that future householders will manage gardens to provide the necessary mitigation (great crested newt terrestrial habitat). Following discussions between the developer and the County Ecologist they are now satisfied that the applicant has addressed their outstanding concerns and the proposals will be in accordance with the requirements of biodiversity planning policy, guidance and legislation provided

mitigation and compensation measures are secured by planning conditions.

36. The proposal is therefore considered acceptable in terms of PPS9 and Local Plan policies EP2 and EP4.

#### Affordable housing

37. The application originally proposed in respect of the affordable housing obligation 6 x 2 Bedroom Units of Intermediate Tenure. However, the Strategic Housing Team advised that although the proposed property type of 2 bedroom properties is acceptable the tenure was not in line with the Boroughs indicated need requirement in the Central Lancashire Strategic Housing Market Assessment 2009 (SHMA) which suggests a tenure split of 74% Social Rented Units and 26% Intermediate Tenure. The tenure split has therefore been amended to reflect this need and now 4 of the Units are proposed to be Social Rent and 2 Units to be Intermediate Tenure (Shared Ownership/ Rent to Homebuy Model). The proposal is therefore considered to comply with local need and is in line with policy HS5 of the Local Plan and PPS3. The affordable housing will be secured through a Section 106 Agreement.

#### Public Open Space

38. The proposal is for 25 dwellings. In line with the Local Plan Policies HS19 and HS21 and amended by the Council's associated Interim Planning Guidelines for New Equipped Play Areas Associated with Housing Developments the Section 106 is also proposed to secure a commuted sum for provision costs (not maintenance costs as it will not be provided on site). The scheme provides for informal space as part of the layout which will be maintained by a maintenance company, so this element has been deducted from the normal commuted sum payment.

#### Impact on Listed Building

39. The Council's Conservation Officer has commented on the application in terms of the impact it may have on Coppull Enterprise Centre (Coppull Ring Mill, which is a Grade II listed building) in terms of its significance or its setting.
40. The Conservation Officer states that Coppull Ring Mill was one of the last spinning mills to be constructed in the Chorley area in 1906, and was one of a pair of mills that formerly occupied a site to the north east of that for the development proposal under consideration here. 'Mavis Mill' was situated to the west of the Ring Mill, and was almost but not quite a matching half of the pair of mill buildings and was demolished in the 1960s. Consequently the surviving Ring Mill building would historically never have been seen in isolation, albeit the pair were located on the northern fringe of the Coppull settlement. He considers therefore that the separation distance, aided by the local topography, is such that the neither the significance of this designated heritage asset, nor that of its setting will be harmed by the proposed development and that its significance will be sustained. He therefore considers the application to be acceptable.

#### Other Issues

41. Public Footpath 23 (Coppull) runs north-south from Moss Lane to the west of the application site. It is outside the application boundary and there will be a buffer strip between the footpath and the development. The proposal is therefore considered acceptable in this respect.
42. There is one oak tree on the site covered by a tree preservation order (TPO 1 Coppull 2005). This will be retained as part of the scheme and it is considered that it is of sufficient distance from the proposed properties that the proposal will not have a detrimental impact on it. A condition will be applied in relation to protection measures during construction.
43. Objectors to the scheme have raised issues regarding the impact on the conservation area. The proposal is not within a conservation area as per its meaning in terms of planning (i.e. built conservation). Part of the site is designated as a Biological Heritage Site (BHS) and is discussed in the Ecology section above. The BHS does not cover the hedging bounding with the properties on Mavis Drive. A condition is proposed however in relation to boundary treatments and landscaping. Objectors have also asked why the land cannot be accessed from elsewhere, however the Council must assess the application before them rather than alternative schemes.

## Overall Conclusion

44. The proposal is considered acceptable, both in principle and in terms of design and layout in that the proposal is considered in keeping with the area. The access and parking of the scheme is considered acceptable and it is considered the proposal will provide reasonable privacy and amenity for the future residents and the residents of neighbouring properties. The application is therefore recommended for approval subject to conditions and a Section 106 Agreement.

## Planning Policies

PPG3, PPS9, PPG13, PPG23, PPG25, Manual for Streets

## Adopted Chorley Borough Local Plan Review

Policies GN1, GN5, EP2, EP4, HS1, HS4, HS5, HS19, HS21, TR4  
Sustainable Resources Development Plan Document  
Sustainable Resources Supplementary Planning Guidance

## **Recommendation: Permit (Subject to Legal Agreement) 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 approved plans are:

Plan Ref.	Stamp Dated:	Title:
F157.PL02 Rev E	29 November 2010	Proposed Sketch Masterplan
F157.PL.03 Rev B	16 September 2010	Proposed House Types (Sheet 1 of 2)
F157.PL.04 Rev A	16 September 2010	Proposed House Types (Sheet 2 of 2)

*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 plan(s)) 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 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.*
5. 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.*

6. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on approved drawing no. F157.PL02 Rev E.  
*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.*
7. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. It shall also provide details of the enhancement and management of the Biological Heritage Site, hedgerows, and replacement nesting bird habitat.  
*Reason: In the interests of the amenity of the area and in accordance with Policy No.EP4 of the Adopted Chorley Borough Local Plan Review and PPS9.*
8. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.  
*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*
9. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1<sup>st</sup> January 2010, Level 4 for all dwellings commenced from 1<sup>st</sup> January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016) and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
10. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*
11. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a Final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 have been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.  
*Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*



12. No development shall commence until a scheme for the provision and implementation of a surface water regulation system has been approved by the Local Planning Authority. The scheme shall be completed in accordance with the approved plans.  
*Reason: Surface water run off from this site should be restricted to existing rates in order that the development does not contribute to an increased risk of flooding and in accordance with PPS25.*
13. Before each dwelling hereby permitted is first occupied, its driveway shall be surfaced or paved, drained and marked out all in accordance with the approved details.  
*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*
14. The integral/attached garages shall be kept freely available for the parking of cars and shall not be converted to living accommodation without the express grant of planning permission unless off-road parking for at least two cars will be maintained, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.  
*Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*
15. Himalayan balsam is present within the woodland in the northwest corner of the site. Due to recent changes in legislation, under the Wildlife and Countryside Act 1981 (as amended) it is now an offence to cause the spread of this species. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The programme shall accord with Environment Agency Guidelines.  
*Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended) and PPS9.*
16. Prior to the commencement of the development full details of the Management Company and arrangements for the future management and maintenance of the site, including the Environmental Areas and private parking areas, shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company in accordance with the approved arrangements.  
*Reason: To ensure the satisfactory management of the private driveways and Environmental Areas at the site and in accordance with Policies GN5 and TR4 of the Adopted Chorley Borough Local Plan Review.*
17. 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.*
18. Due to past processes and activities upon and adjacent to the above site, including a former sewage works, there is a potential for ground contamination. Therefore, no development shall take place until:
- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2001 'Investigation of potentially contaminated site - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
  - b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
  - c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring

proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

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

*Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with PPS23.*

19. The approved Great Crest Newt Method Statement carried out by TEP (Document Ref: 2358.002 Version B November 2010) for the protection of great crested newts shall be implemented in full.

*Reason: Due to the presence of potential newt foraging and refuge habitats within the application area and in accordance with PPS9.*

20. Prior to the commencement of works on site, a Construction Environment Management Plan shall be submitted to the Local Planning Authority for approval in consultation with specialist advisors. The Plan shall include details of measures that will be implemented for the protection of retained habitats (e.g. woodland, trees, hedgerows) and protected and priority species during construction. The approved plan will be implemented in full.

*Reason: Due to the presence of protected and priority species and in accordance with PPS9.*

21. Prior to commencement of works on site, details of the proposed lighting scheme for the site shall be submitted to the Local Planning Authority and approved in writing. The scheme shall demonstrate that the adjacent habitat (woodland and woodland edge) will not be subject to additional artificial illumination (above current ambient light levels). The lighting at the site shall only be implemented in accordance with the approved scheme.

*Reason: Inappropriate site lighting has the potential for adverse impacts on bats and in accordance with PPS9.*

22. Within one month of the commencement of development, a precautionary re-survey of the application area for the presence of badgers and badger setts shall be undertaken. The results of the surveys will be submitted to and approved in writing by the Local Planning Authority. If badgers are found to be present at that time, and would be affected by the development then, prior to the commencement of works on site, a mitigation scheme detailing measures for the protection of badgers will also be submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in accordance with the approved mitigation scheme.

*Reason: Habitats on site are suitable to support badgers the ecological assessment submitted with the application has recommended that precautionary repeat surveys for badgers should be carried out approximately one month prior to the commencement of works on site and in accordance with PPS9.*

23. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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 No. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*