

Item 10/01065/FUL

Case Officer Mr Matthew Banks

Ward Wheelton And Withnell

Proposal Erection of 4 No three bedroom dwellings

Location Land 30M North West Of 79 Railway Road Brinscall Lancashire

Applicant New Progress Housing Association

Consultation expiry: 21 February 2011

Application expiry: 4 February 2011

Proposal

1. This application proposes the erection of 4 residential dwelling houses together with access, parking and garden areas to the rear. The site once formed a garden area associated with No. 79 Railway Road, however, is now in separate ownership and is divided by a 2m high close boarded fence.
2. The site area is approximately 900 square metres which equates to an area of approximately 0.09 hectares.

Recommendation

3. It is recommended that this application is approved subject to conditions.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Background Information
 - Principle of the development
 - Density
 - Design and impact on the streetscene
 - Impact on neighbours/Levels
 - Access and parking
 - Flood Risk, Drainage and Sewers
 - Ecology

Representations

5. 4 objection letters have been received which can be summarised as follows:
 - The land comprises a garden which has been neglected;
 - Derby Street provides insufficient access for this development and the addition of 4 dwellings will only worsen the problem;
 - The development will result in a risk to pedestrians and road users;
 - Derby Street is in a poor condition and should be 'made good';
 - The bathroom of No. 3 Derby Street will be overlooked by the development;
 - The proposed external facing materials are not in keeping with those on Railway Road or the surrounding area;
 - Information should be shown on plan as to where the development will connect to all mains services.
6. **Councillor Alison Hansford** objects to the proposal for the following reasons:
 - The materials are not in keeping with the area and
 - The site is not wasteland, but a garden.

Consultations

7. **Environmental Health**- raise no objection to the proposed development.
8. **United Utilities**- Raise no objection to the proposal subject to various conditions/ infomatives
9. **Lancashire County Council (Highways)** - Raised concerns with regard to pedestrian access to the site and a scheme to 'make good' Derby Street.
10. **Chorley's Waste & Contaminated Land Officer**- Raise no objection to the proposal. However, suggest that an Initial desk study, site walkover and risk assessment should be carried out prior to commencement.
11. **Planning Policy** - State that the land is considered garden, however, the site fulfils the criteria of Policy GN4 which forms part of the development plan by providing affordable housing which carries more weight than the interim garden grabbing policy. Therefore, no objections are raised.

Applicants Case

12. The agent for this application has submitted the following comments in support of the application:
 - The site is considered infill in accordance with Policy GN4 of the Adopted Local Plan Review;
 - The site is unused vacant land which was used for storage in the past (i.e. the site should be considered previously developed);
 - The site is in a sustainable location and there is a reasonable prospect that housing will be delivered on the site and is available for development now;
 - The proposal represents a positive investment in the area and will see the development of an unsightly site;
 - The development will provide sufficient car parking and vehicular turning within the site;
 - The development will provide a bin store;
 - The proposal will meet the required separation distances;
 - The dwellings will appear traditional in appearance and reflect those in the surrounding area;
 - The site is in a sustainable location with local facilities available.

Assessment

Background Information

13. This is the fourth application submitted on this site for the erection of 4 terraced dwellings. The first application (07/00202/OUT) was submitted in 2007 for outline consent and was refused. This application was refused because it was considered contrary to Policy GN4 of the Adopted Local Plan Review as it did not meet any of the criteria listed in Policy GN4 to conform to the policy. This application was also refused because (1) it proposed all market housing which was contrary to Policy HS8 of the Adopted Local Plan Review; (2) the impact on protected species had not been addressed; (3) the development did not incorporate adequate vehicular space for servicing and turning within the site and; (4) the council was unsatisfied that the information submitted allowed a full assessment of the site.
14. The second application was submitted in 2007 (07/00937/OUT) and encompassed a similar scheme addressing the reasons for refusal of the previous application. This application was consequently given outline consent in relation to access and siting and is still extant (reserved matters to be submitted by the 25 April 2011). Reserved matters have not yet been submitted for this application.
15. The third application was submitted in 2010 (10/00691/FUL) and was a similar scheme to that approved under the previous application. However, the main difference being this application sought full planning consent rather than outline consent. This application was withdrawn because of complications regarding affordable housing provision and ownership issues regarding the site.

16. The current application is a re-submission of the previously withdrawn application (10/00691/FUL) and seeks full planning permission for the erection of 4 three bedroom dwellings.

Principle of the development

17. The application site comprises a piece of land situated to the rear of No. 79 Railway Road. In the early stages of this application there was some speculation over the use of this land and the applicant argued there was no evidence to suggest the land was a domestic garden and was more likely to represent a piece of land left vacant when the surrounding industrial uses were developed. However, having investigated the history of the site, it has become apparent that the land was considered domestic garden with the assessment of the approved outline consent in 2007 (07/00937/OUT), which was accompanied by photographs supporting this thesis. Furthermore, the topographical survey submitted with this application shows an outbuilding, paved area and pond within the site which are characteristics regularly associated with a domestic garden. The council acknowledges that the site no longer has the appearance of a conventional domestic garden and has been significantly cleared with only the outbuilding remaining. However, no other information has been submitted with the application to suggest the use of the site has changed. As such, it is therefore considered that on the balance of probability and for the purposes of this application, the land under question is still considered domestic garden.
18. With regard to the above, the council's Interim Garden Grabbling Policy therefore applies. Changes to Planning Policy Statement 3 (PPS3) mean that private residential gardens are no longer considered to be previously developed land. In response to this change and to reflect local concerns, Chorley Council has produced an Interim Policy on Private Residential Garden development, which was adopted in October 2010. This seeks to restrict the development of private residential gardens for housing development in settlements.
19. On the 24 November 2010 an appeal decision relating to a proposed development of 7 dwellings on a private residential garden at the Coppice and Royle, Whittle-le-Woods was made; the Inspector made reference to the Interim Garden Grabbling Policy.
20. The Inspector stated that *"Although the Interim Policy reflects the objectives of the new national policy position on garden land and is a material consideration, it is not part of the Development Plan and has not been subject to independent scrutiny. Therefore, I can afford it only limited weight in my Decision"*. The Inspector agreed that the Interim Policy was a material consideration and that it could be given a degree of weight, however, this weight would be limited as the document was not part of the Development Plan.
21. The above appeal related to a site in Whittle-le-Woods where the Development Plan policy context is different to that in Brinscall. Brinscall is a rural settlement and is therefore subject to Policy GN4 of the Adopted Local Plan Review (which is part of the Development Plan). Whittle-le-woods is subject to Policy GN1 of the Adopted Local Plan Review, which does not specifically identify the types of development that are appropriate for the settlement like GN4.
22. Policy GN4 does, however, specifically identify types of development that are in principle appropriate in Brinscall and the other villages covered by Policy GN4. The applicant has argued that the site meets two of the requirements under Policy GN4 stating that the site should be considered infill and previously developed land. However, the council does not consider the site to meet either of these criteria.
23. Firstly, it was established with the application 07/00202/OUT that the site did not meet any of the criteria under Policy GN4 (including infill) and no circumstances have been presented to the council to prompt a reconsideration of its original standpoint on this issue. Notwithstanding this, the site is not typically infill given its surrounding characteristics and is considered more like back-land development. Secondly, the site is considered a garden and therefore, in accordance with the recent changes to PPS3 could not classify it as previously developed land.

24. As such, the only way the proposal could meet a criterion of Policy GN4, is to provide affordable housing to meet a recognised local need. In this case it is proposed that the affordable housing at the site will be secured by planning condition rather than legal agreement because of complications in securing the required funding for affordable housing when legal agreements made under Section 106 (i.e. as with the extent outline consent). The tenure and nomination rights for these properties will be secured via a unilateral undertaking which the land owners will enter into. This way forward is considered appropriate for this site as it will enable the development of 100% affordable housing within a rural settlement on a site which has the benefit of residential planning approval. Additionally this scheme is only a small development. It would not be considered appropriate to condition affordable housing on other sites as the specific site considerations dictate that this is the only way forward on respect of this site.
25. With regards to both the Interim garden grabbing policy and policy GN4 of the Adopted Local Plan. It is considered that GN4, as a Development Plan Policy (that has been subject to independent scrutiny and was a saved Policy when considered by the Secretary of State), carries significant weight when determining this application. Furthermore, having considered the Inspectors comments from the Coppice and Royle appeal decision, it is considered that Policy GN4 would carry more weight than the Interim Garden Development policy. Therefore, taking all relevant points into consideration, the principle of the proposed development is considered acceptable in this case as it seeks to secure affordable housing to meet local needs of the area. Affordable housing has already been approved on the site and remains extant.
26. In addition to the above, the proposal is considered to meet the relevant tests required by PPS3 in that the site is deliverable and available for development now; the development will represent a positive investment in the area and see the development of a unsightly site; the site is suitable for development in terms of its location and its contribution to suitable mixed communities and there is a reasonable prospect that housing will be delivered on the site in the near future.

Density

27. The application site is currently vacant barring an existing outbuilding sited to the northern corner. The site covers an area of approximately 0.09 hectares and the proposal seeks permission to secure 4 terraced dwellings. This will result in a density of approximately 44 dwellings per hectare which is high density development in accordance with PPS3, however, appropriate in this context.

Design and impact on the streetscene

28. The proposed dwellings would be situated on land to the rear of 79 Railway Road in an opening enclosed by large warehouse buildings to the north and east, a telephone exchange building to the west and Nos. 79 and 77 Railway Road and Nos. 1-3 Derby Street to the south of the site.
29. The site is accessed from Derby Street which is an un-adopted road, linking the site to the main highway (Railway Road). The proposed dwellings to the east of the proposed terrace block would be visible in the streetscene (from views down Derby Street) and would appear prominent in the context of surrounding development in the area.
30. Despite this, the dwellings have been designed to reflect those in the surrounding area and will be two storeys in height. It is not considered the house types would result in any significant detrimental harm to the character and appearance of the area and the scheme has been designed to incorporate both modern features and the best examples of local vernacular.
31. With regards to the proposed materials, the applicant has proposed to build the dwellings out of brick; however, this has prompted concerns from the neighbouring residents regarding the appropriateness of the proposed materials given the use of stone in the area. The council acknowledges that stone is a common material used in this area, however, also acknowledges there are other facing materials in the surrounding vicinity, namely the white

rendered property Nos. 1-3 Derby Street (adjacent to the site). The applicant has indicated that they would be willing to discuss proposed materials and has requested that a condition be added to the planning permission requesting sample materials to be submitted at a later date to ensure they are appropriate to the surrounding area and continue discussions.

Impact on the neighbours/Levels

32. The application site is stepped in nature, sloping gently from the warehouses to the north in a plateau-like arrangement. The site then drops steeply by approximately 1.5m to the lower part of the site adjacent to the gardens of Nos. 77 and 79 Railway Road and Derby Street. From north to south there is an overall drop in levels of approximately 2.8m which is considerable given the modest size of the site
33. The proposed dwellings would face in a south-easterly direction towards the properties 77 and 79 Railway Road and Nos. 1-3 Derby Street. A neighbour letter has been received from an occupier of No. 3 Derby Street raising concerns with regards to overlooking and loss of privacy to their property. However, the room to which they refer is an obscure-glazed bathroom and therefore, the council's interface distances do not apply. It has been noted that the properties Nos. 1-3 Derby Street comprise a small block of flats which would partially face the application site. However, no habitable room windows face the proposed development and as such, the relationship between the proposed development and this block is considered acceptable.
34. With regards to the relationship between the proposed dwellings and No. 77 Railway Road (situated to the south of the application site), it must be noted that No. 77 is an office and as such, the council's interface distances do not apply. The relationship between these properties is therefore considered acceptable
35. With regards to the relationship between the proposed dwellings and No. 79 Railway Road, a number of issues must be considered in assessing this relationship. Firstly, significant weight must be attached to the extant outline planning permission 07/00937/OUT which approved the siting of four dwellings as per the current application. Furthermore, the officer who dealt with this application noted in the design and access statement that two storey dwellings were proposed at reserved matters stage and concluded that two storey dwellings could be accommodated on this site. Therefore, it is considered that the principle of erecting two storey dwellings at the site is acceptable.
36. In accordance with the Householder Design Guidance Supplementary Planning Document (SPD) and Appendix 2 of the council's Adopted Supplementary Planning Guidance Design Guidance Document, there should be a minimum of 21m between first floor habitable room windows and 10m from habitable room windows to the boundaries they face. Furthermore, where the proposed slab levels are 0.5m or more above that of neighbouring existing housing, these spacing guidelines should be increased 1m for every 0.25m difference in slab levels.
37. It has been noted that No. 79 has the majority of first floor rear facing habitable room windows on the original rear elevation and a single window at first floor level serving a two storey rear extension which all face the application site. The first floor windows facing the site on the original rear elevation are approximately 27.5m from the first floor windows of the proposed dwellings. In accordance with the above spacing guidance and taking into consideration the change in levels, a distance of approximately 25m is required which would mean the relationship between these windows is acceptable.
38. The first floor rear facing window serving a bedroom within the two storey rear extension would be situated significantly closer to the proposed dwellings and would maintain a gap of approximately 21.5m. In accordance with the above spacing guidance, and taking into consideration the change in levels, a distance of approximately 25m is required which would mean the relationship between these windows would fall short of the required distance. However, as discussed previously, significant weight should be attached to the extant outline consent (in that this could result in two storey dwellings erected in the same position). Furthermore, the occupier of No. 79 intends to remove the offending window if the

development is approved which has been confirmed by email and forwarded to the council. Despite this, this action could not be secured by planning condition as the window is not within the red edge and as such, this factor can only be afforded limited weight.

39. Therefore, on the basis of the above and taking into account the fallback position regarding the extent of outline consent, it is not considered that a refusal of the application could be sustained regarding the relationship between this window and the proposed development particularly when the applicant could submit a reserved matters application and secure similar development on the site.
40. With regards to the relationship between the proposed first floor windows of the proposed dwellings and the site boundary of No. 79, a distance of approximately 13m would be maintained. In accordance with the above spacing guidance, and taking into consideration the change in levels, a distance of approximately 13m is required which would mean this relationship is considered acceptable.
41. With regards to the private amenity space concerning the proposed dwellings, it has been noted that the proposal would result in relatively high density development and that the rear gardens will be modest in size which raised concern regarding adequate personal amenity space. However, it must be considered that prospective purchasers of these properties will be aware of the site constraints and so the intimate amenity space provided for each dwelling is considered acceptable. Furthermore, given the restrictive nature of the site, Permitted Development Rights will be removed so the council can control any further development at the site in the interests of neighbour amenity.
42. There are no other significant neighbour amenity issues for consideration in determining this application.

Access and parking

43. In relation to highway matters, a number of residents have raised concerns regarding the access and parking arrangements at the site.
44. The site will be accessed from Railway Road, via Derby Street which is an unadopted road in poor condition. As part of the application Lancashire County Council Highways have been consulted and have raised no objection to the proposal subject to provisions to allow pedestrians to enter and leave the site clear of the highway and details regarding the future maintenance of Derby Street.
45. A number of neighbours have raised concerns in respect of the parking problems in the area and the fact that the new dwellings will exacerbate this problem. However, this scheme incorporates two parking spaces per property (six to the front of the dwellings and two to the side of plot 1) which is considered to be sufficient to serve the development. In addition to this, turning facilities will be provided in the site for residents and service vehicles to ensure the development does not create highway safety implications through people reversing on to Derby Street. The highways engineer has raised no concerns in respect of parking and it is considered that the on site provision is adequate to serve the proposed development.
46. With regards to the conditions and maintenance of Derby Street, the council acknowledges that this is in a poor state; however, following further searches, it has become apparent that Derby Street is not within the sole ownership of the applicant nor is it included within the red-edge. As such, improvements to Derby Street could not be secured by planning condition. However, notwithstanding this, the applicant has stated they would look to improve Derby Street, given its current rundown state, particularly in the interests of selling the properties to prospective buyers.
47. With regards to the above, it is not considered that a refusal of the application could be sustained in relation to access, parking or highway safety, particularly affording significant weight to the extant outline application which approved access.

Flood Risk, Drainage and Sewers

48. The application site is not within a designated flood risk area, however, a number of local residents have raised concerns regarding the proposed drainage arrangements at the site given its sloping nature and increasing pressures on local services. As such, United Utilities have been consulted regarding the application and have raised no objection to the proposal. However, United Utilities have suggested that the site should be drained on a separate system, with only foul drainage connected to the foul sewer and surface water discharged to a soakaway, watercourse or surface water sewer.
49. The council acknowledges that the applicant has shown provisions for dealing with surface water run-off, which is particularly important given the properties Nos. 77 and 79 Railway Road are at a lower level than the site. However, notwithstanding this detail, a condition will be added to the planning permission requiring full details (on plan) of both foul and surface water drainage measures prior to commencement.
50. It is therefore considered that any issues regarding drainage can be effectively overcome by planning condition.

Ecology

51. The site has been significantly cleared of any dense vegetation that once stood on the site and it now comprises an open piece of land surrounded by built development. It is therefore considered that the site is unlikely to be capable of supporting any protected species or habitats.

Section 106 Agreement

52. A Section 106 Agreement is being drawn up in relation to this application in accordance with Policy HS21 of the Adopted Local Plan Review for equipped play space. However, a signed agreement has not yet been submitted or payment received.

Overall Conclusion

53. The council acknowledges that the current scheme conflicts with some of the relevant planning policy in relation to garden grabbing, neighbour amenity and highways. However, as stated earlier in this report, significant weight should be attached to the extant outline planning permission on the site of which the reserved matters application could be submitted any time up until the 25th April 2011.
54. On the basis of the above, the application is therefore recommended for approval subject to conditions.

Planning Policies

National Planning Policies:

Planning Policy Statement 1: Delivering Sustainable Development (PPS1);
Planning Policy Statement 3: Housing (PPS3);

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN4, HS4, HS8, HS21, TR1, TR4, TR18, EP17 & EP18

Supplementary Planning Guidance:

- Adopted Householder Design Guidance Supplementary Planning Document (SPD)
- Adopted Supplementary Planning Guidance: Design Guidance

Chorley's Local Development Framework

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

Joint Core Strategy

Sites for Chorley- Issues and Options Discussion Paper December 2010

Planning History

The site history of the property is as follows:

07/00202/OUT: Outline application for residential development (terrace of 4No houses). Refused 19 April 2007

07/00937/OUT: Outline application for residential development (terrace of 4No houses). Approved 25 April 2008

10/00691/FUL: Erection of 4 No three bedroom dwellings. Withdrawn 21 September 2010

Recommendation: Permit (Subject to Legal Agreement) Conditions

1. 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.
2. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.
Reason: To ensure the satisfactory management of the unadopted highways and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.
3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission).
Reason: To protect the appearance of the locality 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. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
6. 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.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

7. 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.

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.

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

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

9. The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of this permission.

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

10. The approved plans are:

Stamp-dated on:	DWG No:	Revision:
31 January 2011	01	A
8 December 2010	02	
11 February 2011	A1a	

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

11. Before the dwellings hereby permitted are first occupied, the access and parking bays/area shall be completed in entirety as shown on the approved plan(s) for the use of the properties. The parking bays shall be retained for parking only, thereafter.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with North West Plan Partial Review (NWPPR) to Policy RT2 of the Regional Spatial Strategy and Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

12. The vehicular turning space shall be laid out and shall be available for use before the development is first occupied. This turning space shall be retained and continuously made available for turning facilities thereafter.

Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance with Policy No TR4 of the Adopted Chorley Borough Local Plan Review.

13. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

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.

14. 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.

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time at first floor level or above in the front elevation of plots 1-4 hereby permitted.
Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.
16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows other than those expressly authorised by this permission, or as subsequently agreed in writing by the local planning authority, shall be inserted or constructed at any time in the south-west elevation of plot 1 or the north-east elevation of plot 4 hereby permitted.
Reason: To protect the amenities and privacy of the adjoining properties, in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review and to protect the future development of the area.
17. No development shall take place until details of the proposed surface water drainage arrangements (including plans to a recognised metric scale) have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.
Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review.
18. Before the development hereby permitted is first commenced full details of the means of foul water drainage/disposal (including plans to a recognised metric scale) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until the works for foul water drainage/disposal have been completed in accordance with the approved details.
Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.
19. 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 January 2010, Level 4 for all dwellings commenced from 1 January 2013 and Level 6 for all dwellings commenced from 1st January 2016).
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.
20. 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.
21. 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 has 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.

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

23. In accordance with Policies GN4 and HS8 of the Adopted Chorley Borough Local Plan Review all of the dwellings hereby permitted shall be made available at significantly below current market costs and shall provide affordable housing to contribute to the solution of a recognised local housing problem. The dwellings hereby approved shall be retained as affordable housing thereafter.

Reason: This site is located within a rural settlement excluded from the Green Belt where residential development will only be considered acceptable if they contribute to the solution of a recognised local housing problem. In accordance with Policies GN4 and HS8 of the Adopted Chorley Borough Local Plan Review.