

## **APPLICATION REPORT – 24/00590/FUL**

**Validation Date: 14 August 2024**

**Ward: Croston, Mawdesley And Euxton South**

**Type of Application: Full Planning**

**Proposal: Conversion of barns to 1no dwelling and outbuilding and erection of 2no dwellings along with other associated development, following the demolition of remaining buildings**

**Location: Wood Lane Farm Wood Lane Mawdesley Ormskirk L40 2RL**

**Case Officer: Mike Halsall**

**Applicant: James & David Foster & Ryding**

**Agent: Peter Dickinson Architects**

**Consultation expiry: 25 October 2024**

**Decision due by: 31 December 2024 (extension of time agreed)**

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### **RECOMMENDATION**

1. It is recommended that planning permission is granted, subject to conditions and a S106 agreement to secure a financial contribution towards Public Open Space and to ensure that if the permission is implemented, the previous Outline planning permission ref. 23/00126/OUT will not be implemented, and vice versa.

### **SITE DESCRIPTION**

2. The application site is located off Wood Lane in the Green Belt, in the rural Parish of Mawdesley. The site contains eight former agricultural buildings that are mostly of timber construction and in a poor state of repair, some are in use for storage (Use Class B8) under permitted development rights, following the Council's granting of prior approval application ref. 22/00003/P3PAM in February 2022.
3. Three of the south eastern agricultural buildings are brick / stone built, two of which are adjoining and the other being a smaller outbuilding.
4. Land to the north west, north, east and further to the south east consists of open agricultural fields. There are detached dwellings to the south (a two-storey dwelling, Wood Lane Farm) and south west (Wood View Bungalow) on the opposite side of Wood Lane. Wood Lane is a Public Right of Way (FP30).
5. There are two planning permissions that exist on the application site which form key material planning considerations in the determination of this application, as follows:
  - Outline planning permission ref. 23/00126/OUT, granted in March 2024, for the demolition of five of the existing buildings and the erection of 3no. dwellings; and

- Full planning permission ref. 23/00125/FUL, granted in May 2023, for a change of use of the south eastern agricultural barns to a dwellinghouse and outbuilding, including partial demolition and extensions to the existing buildings.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. Full planning permission is now sought for the conversion of the adjoining brick-built barns and outbuilding to one dwelling with an outbuilding and the erection of two further dwellings, following the demolition of the other agricultural buildings.
7. The granting and implementation of planning permission for the proposal would effectively replace the existing permissions at the site. The barn conversion part of the permission offers a varied design compared to the existing permission, with a slightly more contemporary extension than previous approved. Two large new dwellings would be erected, compared to three dwellings that were approved in Outline.

## **REPRESENTATIONS**

8. No comments have been received.

## **CONSULTATIONS**

9. United Utilities: have responded with their standard comments for developers in relation to protecting United Utilities' assets and the provision of any new connections to their services.
10. Mawdesley Parish Council: have not responded.
11. Greater Manchester Ecology Unit: have responded with no objection, subject to conditions being attached to any grant of planning permission to safeguard bats, barn owls, birds, amphibians and to secure a net gain in biodiversity at the site.
12. Natural England: have responded with no objection.
13. Lancashire Highway Services (LCC Highway Services): have responded with no objection to the proposal and have suggested conditions be attached in relation to the provision of a construction management plan and securing the provision of car parking and turning areas.
14. Waste & Contaminated Land Officer: has responded with no comments.
15. Lancashire County Council Archaeology Service: have not responded on this occasion, however, they did respond to the previous proposal to request that the barn to be converted be recorded prior to works taking place. This can be secured by planning condition.
16. Lancashire County Council Public Rights of Way: highlight that Wood Lane is a Public Right of Way and have provided advice to the developer in relation to issues such as ensuring it is not obstructed during construction work. This information will be included as an informative note on any decision notice granting planning permission for the proposal.

## **PLANNING CONSIDERATIONS**

### Principle of development

17. The application site is located wholly within the Green Belt. National guidance on Green Belt is contained in Chapter 13 of the National Planning Policy Framework, which states:

*142. The Government attaches great importance to Green Belts. 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.*

143. Green Belt serves five purposes:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

152. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

153. When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

154. A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are...:

- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- g) 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;

150. Certain other forms of development are also not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:...

- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;...

18. The demolition of the timber and steel framed agricultural buildings and erection of two dwellings has potential to fall within exception 154g (redevelopment of previously developed land) and the conversion of the adjoining barns and outbuilding to a dwelling and outbuilding has potential to fall within exception 150d (re-use of buildings) and 154c (extensions to buildings) of the Framework. The two elements of the proposal are assessed separately below.

#### Redevelopment of Previously Developed Land (exception 154g)

19. The applicant's case in this respect mirrors that of the existing Outline permission, albeit the current proposal is to erect two dwellings, rather than three as previously approved. Planning Committee approved the previous Outline application, in line with the officer recommendation, on the basis that the proposal fell within the exception at paragraph 154g of the Framework.
20. The existing site has not changed in terms of land use and so still falls within the definition of previously developed land, set out at Annex 2 to the Framework.
21. It has been established that the site includes the redevelopment of previously developed land (paragraph 154g exception). Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment, which is considered further below, along with objective criteria in 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”.

22. To engage with the exception at paragraph 154g 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.
23. 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.
24. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. The existing site currently has an impact on the openness of the Green Belt through the presence of the substantially sized buildings. 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.
25. The existing buildings have a total combined built footprint of approximately 1,100 square metres and a volume of approximately 2,970 cubic metres. The tallest of the existing buildings is approximately 7.4m to ridge.
26. The proposed combined footprint and built volumes of the two new dwellings (Plots 2 and 3) is approximately 369 square metres and 2672 cubic metres, respectively.
27. When considering any uplift in volume in the Green Belt, national policy allows for the replacement of a building, provided among other things, that they are not materially larger. The Council considers that a volume increase of up to 30% is not ‘materially larger’. Accordingly, when applying this same approach to the development, an increase of up to 30% would not be a material increase when considering the impact on the openness of the Green Belt. The proposed dwellings would result in a reduction in footprint of approximately 66% and volume of approximately 10% compared to the existing buildings, with only a slight increase in the maximum building height of approximately 0.6m.
28. Other factors to consider include the removal of buildings which are spread across the site, most of which are in a poor state of repair, and their replacement with two detached dwellings, set within gardens, would provide a sense of openness within the development. It is considered that the scheme has been suitably designed with appropriate landscaping, which can be finalised by planning condition, that would enhance the appearance of the site as a whole, which in its current form detracts from the character and appearance of the area. Although there would be a change in how the site looks, when taking the above factors into account, it is not considered that the redevelopment of the site would have a greater impact on the openness of the Green Belt than the existing development.

#### Barn conversion (exception 150d)

29. The application proposes to convert two adjoining mostly brick barns into a dwelling and an outbuilding into a residential outbuilding. The Central Lancashire Rural Development SPD (Oct 2012) provides additional guidance to that of the Framework on the re-use of buildings in the Green Belt.
30. Policy HS9 (Conversion of Rural Buildings in the Green Belt and Other Designated Rural Areas) of the Chorley Local Plan 2012 – 2026 states that that the re-use of existing buildings in the Green Belt will be allowed provided that specific criteria are met:

**a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;**

31. The proposal includes extensions to the existing buildings, as described above. The Framework at paragraph 154c allows for the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building. The guidance contained within the Council's Rural Development SPD provides that increases of up to 50% are not considered disproportionate. The proposed extensions represent less than 50% of the volume of the existing barns and so would not be disproportionate additions and would not, therefore, have a materially greater impact on the openness of the Green Belt.

**b) The proposal would not harm the character or quality of the countryside or landscape;**

32. The proposal includes the re-use of three existing buildings to create a dwellinghouse and associated outbuilding. Views from the wider countryside would be seen in the context of the existing cluster of development, including existing dwellings, and it is not considered that the proposal would be harmful to the character or quality of the countryside, rather it would represent an improvement to the current situation as the site appears tired and would likely continue to deteriorate if left in its current state.

**c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;**

33. It is not considered that the barns are of a size or design that is suitable for modern agricultural practices. The other buildings to the north west are no longer in agricultural use, having been granted Outline planning permission for demolition to be replaced with three dwellings, with the current proposal seeking to erect two dwellings instead of the three approved in Outline. The conversion of the barns is not considered to be likely to result in additional farm buildings being required.

**d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;**

34. The barns are agricultural although were not substantially completed within the last ten years.

**e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;**

35. The buildings are of a permanent and substantial construction and capable of conversion without more than 30% reconstruction. The applicant has submitted a structural condition report to demonstrate this.

**f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;**

36. The existing buildings would largely retain their traditional character with minimal new openings added to the existing elements. The application proposes some extensions to the buildings, which would be subordinate additions, and of a modern design, which contrasts with the host building but complements it through the use of suitable materials. The proposal is considered to be acceptable in design terms and would not be harmful to the visual amenities of the area. The curtilage formations are considered to be acceptable and not disproportionate to the size of the new dwelling. Whilst the new site access would extend further to the south east than the existing curtilage, this on balance is considered to

be acceptable as it would avoid any conflict with the access to the existing dwelling opposite the site.

***g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;***

37. The proposed development includes a new site access from Wood Lane. There is adequate space for the provision of on-site parking in accordance with the Council's minimum parking standards. It is not considered that the proposed development would be detrimental to highway safety and would, therefore, accord with this criterion.

***h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.***

38. It is not considered that the proposal would be detrimental to nature conservation interests, subject to conditions.

Impact on character and appearance of locality

39. 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;"*

40. The majority of the application site, especially the timber framed buildings towards the north western site boundary have a generally tired and unkempt appearance, which undermine the overall appearance of the site and none of the buildings proposed for demolition are of any architectural merit. The redevelopment of the site provides the opportunity to enhance the site as a whole.
41. The barns to be converted are of a simple traditional design typical of agricultural buildings of the era in this locality. The site is in a relatively remote location, although Wood Lane is a Public Right of Way. The proposal includes the re-use of three existing buildings to create one dwellinghouse and an associated outbuilding with double garage. Views from the wider countryside would be seen in the context of the existing cluster of development and it is not considered that the proposal would be harmful to the character or quality of the countryside, rather it would represent an improvement to the current situation as the site is largely appearing tired and in need of renovation/redevelopment.
42. Whilst the proposed dwellings would be considerably larger than the existing dwellings in the area, the site sits separate from the nearest adjacent dwellings and would be seen as a separate cluster of new dwellings with a purposeful agrarian design.
43. The proposal is considered acceptable in terms of size, scale, massing and design. The final choice of externally facing materials and landscaping details can be controlled by planning condition.
44. Overall, the proposed development is an appropriate design response to the site and would have a positive impact on the appearance of the site and character of the area in consideration of the present buildings and would not have a detrimental impact on the surrounding area. The development, therefore, complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 with regards to the design.

### Impact on neighbour amenity

45. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
46. As previously noted, the proposed siting of the new dwellings is separate from existing dwellings (approximately a minimum interface distance of 23m between elevations). As such, there would be no adverse impact on the amenity of the occupiers of any existing neighbouring dwellings or the future occupants of the proposed dwellings. It is, therefore, considered that the development would not adversely impact on the amenity of any existing or future occupiers.

### Highway safety

47. 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.
48. The proposal involves the creation of three new site access points onto Wood Lane. LCC Highway Services do not have any objections in principle to the proposal. The illustrative site layout plan adequately demonstrates that the site could provide off street parking and vehicle manoeuvring areas in line with the parking standards set out in policy ST4 of the Chorley Local Plan 2012 – 2026 and Appendix A.
49. 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

50. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water and surface water draining in the most sustainable way.
51. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
  1. into the ground (infiltration);
  2. to a surface water body;
  3. to a surface water sewer, highway drain, or another drainage system;
  4. to a combined sewer.
52. It is recommended that the applicant implements a scheme in accordance with the surface water drainage hierarchy outlined above. This can be secured by planning condition. Whilst the submitted site layout plan identifies foul water to be treated on site in package treatment plants prior to being discharged to an existing watercourse, any such connection would require consent from the Lead Local Flood Authority under a separate consenting regime outside that the Planning system. This will be outlined to the developer as an informative not attached to any grant of planning permission at the site.

### Biodiversity Net Gain

53. From 2<sup>nd</sup> April 2024, Biodiversity Net Gain became a statutory requirement for small development sites, i.e. non-major developments. There are however some exemptions, one

of which is for self-build dwellings. The applicant has confirmed that all three dwellings will fall within the required definition of self-build dwellings and this will be secured by planning condition.

### Ecology

54. 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.
55. The Council's ecological advisors identify that the site supports bat roosts and so the proposal will require a Protected Species Licence from Natural England. As a consequence, they have suggested a condition be attached to any grant of planning permission requiring evidence of the license or confirmation a license is not required to be provided to the Council prior to development commencing. Given the small numbers of bats and their conservation status it is likely that a Bat Mitigation Class Licence could be sought. These BMCL licences do not require a Reasoned Justification to provide the derogation from the legislation, but it is important that the Council identify this material consideration. It is also the responsibility of the determining body to consider likelihood of a licence being issued. Our opinion that it is highly probable that Natural England will look on a licence application favourably and it will be issued in this case.
56. Evidence of Barn Owl was observed in B1 and B3. Barn Owls receive a high level of legal protection under the terms of the Wildlife and Countryside Act 1981 (as amended). Compensation for the loss of Barn Owl nesting and roosting sites has been proposed in the form of a dedicated Barn Owl tower and a pole mounted Barn Owl box, and a mitigation strategy for Barn Owls has been proposed by the applicant (ref. Tyrer Ecological Consultants, November 2024). These measures are acceptable, and if implemented in full should secure the conservation of Barn Owls.
57. There are ponds within the locality and whilst GCN surveys are not considered necessary at this time there is a small possibility that newts or other amphibians could be found in the works area. To avoid any possible harm to amphibians and hedgehogs which could also be present, Reasonable Avoidance Measures (RAMs) should be required to be adopted in full during works.
58. Providing that the above precautions are adopted I would conclude that no harm to amphibians/hedgehogs will be caused by the development. We would recommend that the Reasonable Avoidance Measures be implemented in full and a condition to this effect be placed on any permission.
59. In light of the above, the potential ecological impacts of the proposal are considered acceptable, subject to conditions. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan (2012-2016).

### Archaeology

60. As noted earlier in this report, Lancashire County Council Archaeology Service has previously recommended that conditions be attached to any grant of planning permission requiring that the buildings are recorded prior to any work to the barn to be converted being undertaken. The proposal is therefore considered to be acceptable in this regard.

### Public open space

61. 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.



62. The Council does not require contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches from developments of fewer than 11 dwellings.
63. Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population for Public Open Space for children / young people, i.e. equipped play areas. There is currently a deficit of provision in Croston, Mawdesley and Euxton South in relation to this standard, a contribution towards new provision in the ward is, therefore, required from this development. The amount required is £134 per dwelling. The contribution for this proposal is therefore £402 which would be secured via a S106 legal agreement.

#### Sustainability

64. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1<sup>st</sup> January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. The 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015, which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

*“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.”*

65. 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

66. 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**

67. The proposed development is considered to be acceptable and the application is recommended for approval, subject to conditions and a S106 agreement, as detailed earlier in this report.

## RELEVANT HISTORY OF THE SITE

**Ref:** 19/00319/AGR **Decision:** PAAGR **Decision Date:** 30 April 2019  
**Description:** Agricultural determination for a steel portal framed building to be used for the storage of agricultural machinery.

**Ref:** 22/00003/P3PAM **Decision:** PAAPP **Decision Date:** 28 February 2022  
**Description:** Prior approval application under Part 3, Class R of The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the proposed change of use of 3no. agricultural buildings to a flexible use falling within Class B8 (storage or distribution) for materials and vehicle storage

**Ref:** 22/00805/AGR **Decision:** PAAGR **Decision Date:** 7 September 2022  
**Description:** Agricultural determination to install an access track

**Ref:** 23/00125/FUL **Decision:** PERFPP **Decision Date:** 26 May 2023  
**Description:** Change of use of agricultural barns to a dwellinghouse and outbuilding, including partial demolition and extensions

**Ref:** 23/00126/OUT **Decision:** PEROPP **Decision Date:** 12 March 2024  
**Description:** Outline application for the demolition of existing buildings and the erection of up to 3no. dwellings (all matters reserved, save for access from Wood Lane)

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

### Suggested Conditions

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

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

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

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

| Title                                  | Plan Ref    | Received On      |
|--|-------------|------------------|
| Plot Location Plan                     | 4331-24-10A | 12 November 2024 |
| Proposed Site Plan                     | 4331-24-05B | 12 November 2024 |
| Proposed Plans and Elevations - Plot 1 | 4331-24-21D | 12 November 2024 |
| Proposed Plans and Elevations - Plot 2 | 4331-24-02  | 11 July 2024     |
| Proposed Plans and Elevations - Plot 3 | 4331-24-07  | 11 July 2024     |
| Existing Site Plan                     | 4331-24-11  | 11 July 2024     |

3. Prior to any works taking place above DPC level, excluding demolition, 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. This should include a demonstration of a net gain in biodiversity at the site to include bat bricks and/or tubes within the new development, bird boxes, native tree and shrub planting and sensitive lighting.

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

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

4. 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. No development shall commence until a surface and foul water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme shall include:

- (i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;
- (ii) A restricted rate of discharge of surface water agreed with the local planning authority (if it is agreed that infiltration is discounted by the investigations); and
- (iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

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

6. Prior to the commencement of development, an Arboricultural Method Statement shall be submitted to and approved in writing by the Local Planning Authority to include details for the protection of all trees to be retained and details of how construction works will be carried out within any Root Protection Areas of retained trees. The development shall only be carried out in accordance with the approved Arboricultural Method Statement and with British Standard BS 3998:2010 or any subsequent amendment. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the Root Protection Areas.

*Reason: To protect trees to be retained.*

7. No works shall take place to any of the existing buildings on site unless the Local Planning Authority has been provided with either:

- a) a licence 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 licence.

*Reason: To safeguard a protected species.*

8. No works to the barns to be converted shall take place, including any clearance/demolition or preparation works, until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological building recording as set out in "Understanding Historic Buildings" (Historic England 2016). This should comprise (i) a photographic record of the stone barn; and (ii) a level 3 record of the brick barn. This recording must be carried out by an appropriately qualified and experienced professional contractor to the standards set out by the Chartered Institute for Archaeologists and in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority. A copy of the report or reports created shall be submitted to the Local Planning Authority and the Lancashire Historic Environment Record prior to the dwellings consented being first occupied.

*Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings/site.*

9. The following Reasonable Avoidance Measures shall be adopted in full during all works at the site:

- o All excavations on site should be covered at night or a ramp should be provided to allow amphibians to exit excavations. All excavations should be checked for amphibians/hedgehogs each morning prior to the re-commencement of any works.
- o All exposed new pipework and drains should be capped at night so as to avoid trapping amphibians.
- o All excavated materials/waste should be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by amphibians/hedgehogs. Alternatively all waste should be removed from site daily.
- o All stored building materials that might be used as temporary resting places by amphibians should be stored off the ground on pallets or similar.
- o Scaffold footings will be placed on sand to prevent newts taking temporary refuge underneath the footings.
- o If hedgehogs are found during works they should be removed to a safe place outside of the working area.
- o If GCN are found at any time during works, then works should cease immediately and advice sought from a suitably qualified GCN ecologist.

*Reason: To avoid any possible harm to newts and hedgehogs which could also be present.*

10. No dwelling hereby permitted shall be commenced until all existing buildings on the site, labelled structures C, D, E, F, 'Timber Frame Barn' and 'Steel Frame Barn' on approved drawing ref. 4331-24-11, are demolished in full and all resultant materials removed from the site.

*Reason: The demolition of the existing buildings is necessary to make the development acceptable in the Green Belt as an exception to inappropriate development in the Green Belt as listed in paragraph 149 (g) of the National Planning Policy Framework and also in accordance with Chorley Local Plan 2012 - 2026 policy BNE5.*

11. Prior to the commencement of the development full details of any proposed lighting on the site, which shall be designed to minimise impacts on nocturnal wildlife and ensure no increase in lux levels above the existing levels on the site shall be 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 minimise impacts on nocturnal wildlife.*

12. Prior to the commencement of the development a biodiversity enhancement plan and implementation timetable shall be submitted to and approved in writing by the Local Planning

Authority. The biodiversity enhancement plan shall be implemented in full in accordance with the approved details and timetable.

*Reason: To ensure biodiversity on the site is enhanced.*

13. No development shall take place, including any works of demolition or site clearance, until a Construction Management Plan (CMP) has been submitted to, and approved in writing by the Local Planning Authority. The approved plan / statement shall provide:

- 24 Hour emergency contact number;
- Details of the parking of vehicles of site operatives and visitors;
- Details of loading and unloading of plant and materials;
- Arrangements for turning of vehicles within the site;
- Measures to protect vulnerable road users (pedestrians and cyclists);
- Wheel washing facilities;
- Delivery, demolition and construction working hours.
- Measures to mitigate risks to other highway users caused by large vehicles associated with the construction.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

*Reason: In the interests of the safe operation of the adopted highway and Public Right Of Way (PROW) during the demolition and construction phases.*

14. The dwellings hereby permitted shall be constructed only as self-build houses within the meaning of Section 1 (A1) of the Self-build and Custom Housebuilding Act 2015. No development shall commence until the names of the individuals by whom houses are to be occupied as their principal residence have been provided in writing to the Council. Within 14 days of first entering into occupation of the dwellings, the first occupier of each dwelling shall notify the Local Planning Authority in writing of the date when they entered into occupation. For a period of three years starting on the date when each dwelling is first occupied it shall not be occupied except by the individual(s) so notified to the Council and their dependants and co-habitees except with the express written consent of the Council.

*Reason: Exemption from biodiversity net gain has been obtained because the dwelling is a self-build/custom build property.*

15. No building or use hereby permitted shall be occupied or the use commenced until the car parking area has been surfaced or paved in accordance with a scheme to be approved by the Local Planning Authority and the car parking spaces and manoeuvring areas marked out in accordance with the approved plan. The car parking area shall thereafter be kept free of obstruction and available for the parking cars at all times.

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

16. New nesting provision must be made for Barn Owls as specified within Section 8 of the report: Preliminary Ecological Appraisal Tyrer Ecological Consultants, May 2022. The method statement shall be implemented in full in accordance with the approved details and timetable.

*Reason: To mitigate the loss of nesting habitat.*