

Item **10/00735/OUTMAJ**

Case Officer **Mr David Stirzaker**

Ward

Proposal **Outline planning application for the erection of a residential development with associated access arrangements**

Location **Land 110m West Of Coppull Enterprise Centre Mill Lane Coppull Lancashire**

Applicant **Tatton Settled Estates Ltd**

Consultation expiry: 6 January 2011

Application expiry: 1 December 2010

Proposal

1. Members will recall that this application was reported to Development Control Committee on 11 January 2011. The application was deferred at that meeting due to the absence of a Noise Survey. The Noise Survey has now been undertaken and submitted to the Council. The Director of People & Places has considered the contents of the Noise Survey report and its recommendations and on the basis of this document, raises no objections to the application subject to the recommendations in the report being made the subject of a planning condition as these will inform the final design and layout of the development on the northern part of the site when a reserved matters application is submitted.
2. The application has been submitted in outline format and proposes the erection of a residential development with associated access arrangements on land adjacent to the Coppull Enterprise Centre. The application site is located at the end of Mill Lane, Coppull and is in the Settlement of Coppull covered by Policy GN1 of the Local Plan Review. The application is generally flat with no significant changes in level and at present comprises of an overspill parking area and grassed areas. There is also a compound on the site from which Chorley Bottled Gas operates and to the east of this the occupier of Unit 1 of the Enterprise Centre stores large pressure vessels on the site.
3. As the application is outline the only elements being considered are access and the principle of redeveloping the site for residential purposes. Issues in respect of design, layout, scale and landscaping have been reserved to be considered via a subsequent application in the event that outline planning permission is forthcoming.

Recommendation

4. It is recommended that this application is granted conditional outline planning approval subject to the associated Section 106 Agreement

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Principle of the Development
 - Loss of employment Land
 - Design & Layout
 - Impact on the existing and future residents
 - Highway safety
 - Impact on local services
 - Ecology
 - Drainage, Flooding & Ground Contamination

- Section 106 Agreement
- Noise
- Impact on the Listed Building

Representations

6. To date, 7 representations raising objections to the development have been received. The contents of these letters can be summarised as follows: -
- Outside storage of equipment associated with the business in Unit 1 of the Mill would have to cease as a result of the development proposed and there is no other industrial land available for the storage of this equipment in Coppull causing logistical problems
 - If the application is permitted, Coppull would lose a large area to attract industry to the area
 - The application will not have any benefits for tenants of the Mill
 - Some of the business in the Mill may be lost
 - The road system leading to the Mill is congested the majority of the time
 - The occupiers of the dwellings may experience problems with noise and disturbance from the existing businesses on the site
 - Impact on the area
 - Mill Lane is suffering from gross overuse of traffic, heavy vehicles and speeding
 - The development will impact on the wildlife in the area
 - The development could impact on the thoroughfare through the industrial estate
 - The development will cause havoc as there is only one way in and out of Mill Lane which is not made for heavy traffic
 - There are always lorries going up and down Mill Lane
 - Mill Lane will be like a motorway and children will not be able to play
 - Despite the persuasive figures in the Transport Statement, the access is considered inadequate for the additional traffic
 - Both sides of Mill Lane are lined with parked vehicles
 - Mill Lane already suffers from unacceptably high levels of traffic for what should be a cul-de-sac and traffic on a Saturday morning is as busy as a weekday morning
 - The suggested trip figures in the Transport Statement are way below what will actually be the case
 - The figures in the Transport Statement are not a true reflection of the actual traffic numbers and it makes assumptions that people who live on this development will only go out in a car to go to work, they will have no friends or relatives to visit, will never use taxis and will have no children living at home who have their own cars
 - The Enterprise Mill is entirely unsuitable for commercial usage and should never have been classified as such
 - The summary of the community consultation is rather misleading and gives a far more positive impression of responses than is actually the case
 - The operator of the Enterprise Mill has requested that a condition be attached to the planning permission requiring the applicant to pay for the upgrade works to the car park

Consultations

7. **Lancashire County Council (Ecology)** have no objections subject to various conditions to ensure protected species are not prejudiced by the development proposed.
8. **English Heritage** advise that it was not necessary to be consulted on this application hence they do not make any comments on the application details.
9. **The Environment Agency** have no objections subject to conditions relating to drainage and ground contamination.
10. **The Corporate Director of People and Places** originally raised concerns in respect of noise and also commented in respect of waste collection and storage. With regards to noise, a Noise Survey was requested. This has now been completed and submitted to the Council. The Corporate Director of People and Places has considered the Noise Survey and on the

basis of its findings, no longer has any concerns with the development proposed subject to the recommendations of the Noise Survey being carried out.

11. **The Corporate Director People and Places (Contamination)** has suggested a condition in respect of contamination.
12. **The Council's Conservation Officer** originally objected to the scheme but has confirmed that the amended site layout has addressed concerns in terms of the proximity of the development to the Grade II Listed Mill
13. **Strategic Housing** have provided advice on the type of affordable housing required in the Coppull area.
14. **United Utilities** have no objection subject to various conditions and informatives relating to drainage.
15. **Lancashire County Council (Highways)** do not have any objections to the application in respect of the access to the site and the level of traffic generated by the development although concerns are expressed in relation to the internal highway layout.
16. **Network Rail** have commented in respect of the proximity of the site to the railway line.
17. **Lancashire County Council (Education)** have commented in respect of contributions to education provision.
18. **Planning Policy** have commented on the loss of employment land and the emerging Core Strategy.
19. **Lancashire County Council (Archaeology)** have no comments to make on the application.

Assessment

Principle of the Development

20. At present, the site is occupied by an overflow car park associated with the Enterprise Centre on which Mavis Mill originally stood until it was demolished. Due to the existing use of the land the site falls to be considered as previously developed land within the PPS3 definition and as such is the preferred choice for residential redevelopment rather than greenfield land. Therefore, in principle, the redevelopment of the land for residential purposes is considered to be acceptable. The site covers 1.54 hectares and the erection of 49 dwellings equates to approximately 32 dwellings per hectare.

Loss of employment land

21. The application sites falls within the planning unit associated with the Enterprise Centre and as such falls to be considered against Policy EM9 of the Local. Policy No. 10 of the Core Strategy is also relevant due to the employment land status of the site.
22. The supporting documentation addresses Policy EM9 raising the following points: the site is located within walking distance of a bus stop; the existing access along Mill Lane restricts future employment use as access for HGVs is restricted; the site only employs a small number of people who can be relocated into/ adjacent to the enterprise centre; the need for the land as a car park could be removed if the main car park was formalised and laid out; the Enterprise Centre only operates at 75% capacity and there is available floor space which could be upgraded to cater for additional demand if required; there is an abundance of available employment floor space in Chorley and the redevelopment of the site for non-employment purposes would not be detrimental to the supply of employment land in the Borough;
23. Notwithstanding the above argument the site has been marketed for the past 18 months in accordance with the SPG which accompanies Policy EM9. The SPG requires any application for non-employment uses to demonstrate, in the form of a Proof of Marketing and Statement of Efforts, that an employment use is not viable.

24. The marketing of the site resulted in no reasonable offers and the report concludes *'employment land in this type of location being remote from the motorway system and with inadequate infrastructure provision is unsuitable for the majority of potential occupiers/purchasers. The fact that this land has remained vacant for many years is an indication that re-use of the site for employment purposes is unlikely, and therefore alternative uses should be considered on their merits.'* The Council's Planning Policy Section have reviewed the submitted Proof of Marketing and Statement of Efforts and queried some of the marketing information. However, the applicant states that the site has now been comprehensively marketed for a period of 18 months in total and this has shown that there is no demand for the site to be used for employment purposes. The site is also still being marketed on the Bailey, Deakin & Hamilton website.
25. The Planning Policy section have also drawn attention to the emerging Core Strategy and in particular Policy 10 (Employment Premises & Site) which seeks to retain existing employment sites and sites last used for employment use. However, this has not yet been formerly adopted so Local Plan Policy EM9 still has the greater weight and as the site has been marketed for 18 months wherein it has been shown that there is no demand for the site for employment purposes, it is considered that the proposal accords with the requirements of Policy EM9.

Design & Layout

26. The application is in outline format hence the layout submitted is indicative only at this stage as only access is being applied for. However, the Design & Access Statement contains indicative images of the form the dwellings on the site may take. It will be important for the final design of the dwellings to be sympathetic to the design and detailing of the Mill on the site with particular importance placed on materials and the finer detailing of the dwellings. Landscaping will also be important as a means of ensuring the development assimilates with its surroundings whilst a buffer strip between the site and the car park will provide a soft edge to the development when seen from the car park. The entrance to the site will also need careful design consideration to ensure the development responds to the local context. The site layout, whilst only indicative, does demonstrate that the site can accommodate the number of dwellings proposed adequately whilst providing suitable off road parking, garden spaces and an area of informal open space. There are some concerns from LCC (Highways) about the layout but these can be resolved at the reserved matters stage when a final site layout is designed.

Impact on the existing & future residents

27. The nearest residential properties to the application site are to the south of the site on Mavis Drive with the nearest dwelling being approx. 100 meters away. There are not therefore any concerns in terms of the relationship with the properties on Mavis Drive. Planning permission has also recently been granted for the residential development of the site allocated for housing by Policy HS1.29 of the Local Plan. The properties on plots 2 and 3 are the nearest ones to the permitted housing although the two sites do not adjoin each other and this housing site sits at a lower level than the site of the dwellings proposed on plots 2 and 3. The relationship between the two sites was assessed as part of the application process for the Persimmon application hence there are no concerns in terms of the relationship of the dwellings on the two sites.
28. The internal relationship between the dwellings is something that will be finalised at the reserved matters application stage. Whilst the outline plan is only indicative, it does demonstrate that the number of dwellings proposed can be satisfactorily accommodated on the site and provide a suitable level of residential amenity for occupiers of the dwellings.

Highway safety

29. Access forms part of the consideration in respect of this outline planning application. Access to the application site is via the existing access to the Enterprise Centre which is along Mill Lane which is a residential street.

30. The Highway Engineer at Lancashire County Council has assessed the scheme and made the following comments. A Transport Assessment has been provided which concludes that principle of developing this site for housing is acceptable. It has been confirmed that the surrounding highway infrastructure will not be adversely affected, adequate parking will still be available for the Coppull Enterprise Centre and Mill Street is suitable as an access point. It should be noted that the overspill car parking area is presently leased to Bizspace and the applicant has confirmed that funding for the rationalisation of the retained car parking area will be made available through a legal agreement between the applicant and Bizspace when the land is sold meaning that Bizspace (the owner of the Enterprise Centre) will not be put to expense in upgrading the existing car parking area adjacent to the Mill. However, it should be noted that the existing car parking area within the ownership of Bizspace will be unaffected by the development and this has been confirmed by LCC (Highways) as sufficient in terms of the area it covers to provide a satisfactory level of car parking to serve the Enterprise Mill once rationalised.
31. The Highway Engineer has raised some concerns with the internal highway layout which are: The scheme incorporates a "straight" road that will encourage higher speeds; the internal layout does not meet the standards set in Manual for Streets; the far end cul-de-sac is not to an adoptable layout. However as the layout is indicative these issues can be dealt with at the reserved matters stage.
32. Two conditions have been suggested which would ensure that the Highway Engineers concerns with the internal layout are dealt with at reserved matters stage. These conditions have been attached to the recommendation.

Impact on local services

33. Lancashire County Council have requested a contribution in respect of primary school places. The request relates to 18 places and equates to £213,118. However this request has been queried as the request confirms that there is expected to be a surplus number of primary school places within the surrounding schools for the next 5 years. The request goes on to state that there are a number of other developments which have recently come forward which will have an impact upon places at some or all of these schools. As such it appears that the cumulative impact of other developments has been taken into account when considering the impact from this development.
34. Prior to agreeing S106 contributions the Council has to ensure that the request meets the following tests as required by the Community Infrastructure Levy:
 - (a) necessary to make the development acceptable in planning terms
 - (b) directly related to the development; and
 - (c) fairly and reasonably related in scale and kind to the development.
35. LCC Education have stated that the contribution sought (£213,118) is directly related to this development as the money would be used to provide places for the children yielded by this development and other developments which have recently come forward. This is anticipated to be the case in 5 years time when there is expected to be a shortfall of secondary school places. However as confirmed by LCC there is currently a surplus of places within the area. In theory this development could be completed within 2 and a half years within the period when there is a surplus of primary school places. However, if the development is completed later than this, there may be a need for a contribution towards school places, albeit at a lower level than the £213,118 requested. The applicant has therefore indicated a willingness to negotiate on this matter as part of the S106 agreement as it may be the case that a phased contribution system is utilised to secure a level of contribution relevant to the timescale of the development being carried out.

Ecology

36. An Ecological Assessment was submitted with the application. This document has been considered by LCC Ecology who have confirmed that these proposals have the potential for

impacts upon protected and priority species and the Biological Heritage Sites. However provided adequate mitigation and compensation can be secured through planning conditions the proposals should be in accordance with the requirements of biodiversity planning policy, guidance and legislation.

37. The Ecologist did initially raise concerns with the impact on bat roosts through the loss of trees. However following the receipt of further information the Ecologist confirmed that she has received confirmation from the applicants Ecologists that none of the trees with bat roost potential would be felled to facilitate this development. Therefore there is no need for any further bat surveys prior to determination of this application and no need for a planning condition to implement bat mitigation at this site.
38. Following a recent high court decision the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
 - (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
39. It is considered that if the proposed mitigation measures are implemented through the use of planning conditions, the proposals will not adversely impact on protected species. It is considered that the proposals satisfy the three derogation tests and will not impact unfavourably on the population of protected species

Drainage, Flooding & Ground Contamination

40. The application is accompanied by a Flood Risk Assessment. United Utilities raise no objections subject to the site being drained on a separate system with only foul drainage connected to the foul sewer. United Utilities also state that if surface water is allowed to be discharged to the public surface water sewerage system, the flow may be required to be attenuated to a maximum discharge rate determined by United Utilities. The Environment Agency do not raise any objections to the application subject to the imposition of conditions requiring surface water drainage details to be agreed with the Council (in liaison with the Environment Agency) and a further site investigation being carried out. On the basis of these responses, there are no objections to the application in terms of drainage, flooding and ground contamination.

Section 106 Agreement

41. The applicant has agreed to enter into a Section 106 agreement with the Council to provide affordable housing on the site, make a contribution towards off site playspace provision and provide informal on-site play space. The affordable housing on the site equates to 20% of the overall housing numbers and following advice from Strategic Housing, the applicant has agreed to provide 6 rented units and 4 intermediate units (Shared Ownership/Rent To Home Buy etc) across the application site. As the application is in outline, the Registered Social Landlord for the properties is not known at this stage.
42. With regards to the playspace contribution, this is the standard tariff per dwelling towards the provision of off site playspace and the applicant has also agreed to make a contribution towards an area of informal on-site play space that could be adopted by the Council.

Noise

43. The site plan shows a buffer zone along the eastern site boundary between the dwellings and the commercial business premises to the north of the Enterprise Mill. The Director of People and Places originally advised that a noise survey was required in respect of the impact of noise from the commercial activities adjacent to the housing on the northern portion of the site. The applicant has now submitted a Noise Survey and this has been considered by the Director of People & Places. On the basis of the Noise Survey, the development is considered to now be acceptable subject to the measures set out in the Noise Survey being

made the subject of a planning condition as these will inform the final design and layout of the northern portion of the development site at the reserved matters stage.

Impact on the Listed Building

44. The Council's Conservation Officer originally raised concerns in terms of the proximity of the dwellings on plots 37 and 38 to the Listed Mill building. The applicant has amended the plans and the site plan now shows this part of the site as informal open space which addresses the Conservation Officer's concerns whilst also meeting the requirement to provide informal open space on the site. The Conservation Officer no longer expresses concerns in relation to the application on this basis. English Heritage have been consulted on the application but have advised the Council that it is not necessary in this case for English Heritage to have been notified of the application. Also, the removal of the compound and pressure vessels from the site will have the benefit of improving the visual amenity of the site and the setting of the Mill building.

Other Matters

Public Consultation

45. The applicant, prior to the submission of the application, has undertaken a public consultation exercise with local residents. The results of this are summarised in the applicant's Statement of Community Involvement.

Sustainability

46. As the application is outline in nature, the layout of the development and design of the dwellings is not known at this stage. However, the applicant has submitted a Sustainability Statement which confirms that the development, when the reserved matters application is submitted, will be designed to accord with Policy SR1. This will be required through the use of appropriately worded planning conditions.

Waste Collection and Storage

47. There are no objections to the development in terms of the refuse vehicles being able to gain access. The Waste & Contaminated Land Officer has expressed some concerns with regards to collection routes for wheeled bins but as already stated, the application is in outline format so the final layout design is not known at this stage. However, waste storage and collection will be a factor when a reserved matters application is submitted to the Council.

Existing Businesses on Site

48. There are 2 existing businesses on the application site at present that this application will have implications for. The first business (Chorley Bottled Gas) sits in a fenced compound on the northern part of the application site. As a result of the development proposed, this business would have to relocate. However, the applicant advises that Chorley Bottled Gas can be accommodated within a vacant unit within the Mill. The second business is located in unit 1 at the northern end of the Mill and involves the supply and installation of heavy engineering hardware. Part of the application site is used to store equipment associated with this business so as with the bottled gas business, the outside storage would have to cease on this part of the site. The applicant advises that there will still be some space available to bring pressure vessels to the site to enable work on them to take place thus allowing the business to remain operating from unit 1 in the Mill.

Car Park Upgrading

49. With regards to the comments made by the owner of the Enterprise Centre (Bizspace), the applicant advises that a legal agreement between the applicant (Tatton Estates) and Bizspace is being drawn up that will oblige the applicant to upgrade the existing car park. This will ensure that the existing car park is upgraded and made more user friendly to existing and proposed users of the Enterprise Centre.

Overall Conclusion

50. The principle of the residential development of this site is considered to be acceptable as the site has been marketed for 18 months and this has demonstrated that there is no demand for the site for employment purposes. The concerns in relation to noise have also now been adequately addressed. The access to the site and level of traffic it would generate is also

considered to be acceptable by LCC (Highways) and there are no objections in terms of the amount of car parking retained to serve the Enterprise Centre. The relationship between the development and the Grade II Listed Mill is considered to be an acceptable one although the final design and layout of the development will be dealt with at reserved matters stage. There are also no concerns in terms of the ecological impact of the development. On this basis, it is recommended that outline planning permission be granted subject to the signing of a S106 legal agreement.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS5, PPS9, PPG24, PPS25

Regional Spatial Strategy

Policy Nos: DP1, DP4, DP7, RDF1, W3, L4, L5, RT9, EM5, EM15, EM16, EM17

Core Strategy

Policy Nos: 4, 5, 6, 7, 10, 16, 17, 22, 27

Adopted Chorley Borough Local Plan Review

Policy Nos: GN1, GN5, EP4, EP9, EP18, EP19, EP20, HS4, HS6, HS19, HS21, EM9, TR4

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide
- Interim Planning Guidelines for New Equipped Play Areas Associated with Housing Developments

Chorley's Local Development Framework

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

Planning History

04/01289/CLEUD - Certificate of Lawful Use in respect of an existing use of a compound for storage of bottled gas. Refused November 2004.

04/00933/FUL - Extension of existing compound using a concrete post and chainlink fence, and installation of a skid pan mounted Autogas unit. Refused August 2004.

04/00834/CTY - To construct a temporary stone access with chain link mesh gate. No objection.

Recommendation: Permit subject to legal agreement Conditions

1. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, landscaping of the site and the external appearance of the dwellings) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The approved plans are:

| Plan Ref. | Received On: | Title: |
|---------------|------------------|--------------------|
| 6941/L(00)12 | 24 November 2010 | Location Plan |
| 6941/L(00)014 | 14 December 2010 | Proposed Site Plan |

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

3. 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 1st January 2010, Level 4 for all dwellings commenced from 1st January 2013 and Level 6 for all dwellings commenced from 1st January 2016) and achieve 2 credits within Issue Ene7: Low or Zero Carbon Technologies.
Reasons: To ensure that the dwellings meet the relevant Code for Sustainable Homes and in accordance with Policy SR1 of the Sustainable Resources DPD.
4. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on the approved plans. The development shall only be carried out in conformity with the approved details.
Reason: To protect the appearance of the locality, 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.
5. 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 the approved 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 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 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, 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 Chorley Borough Local Plan Review.
8. 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 Chorley Borough Local Plan Review.
9. The existing soil levels around the base of the trees to be retained shall not be altered.
Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Chorley Borough Local Plan Review.

10. 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 Chorley Borough Local Plan Review.
11. 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.
12. No dwelling, which has a curtilage bounding any area of informal public open space shown on the approved plans, shall be occupied until that area of informal public open space has been laid out and equipped in accordance with the approved details.
Reason: To ensure adequate provision for public open space and play areas within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.
13. 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.
14. No development approved by this permission shall commence until a surface water drainage scheme for the site based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development has been submitted to and approved in writing by the Local Planning Authority. It shall include details of how the scheme shall be maintained and managed after completion of the development and shall subsequently be implemented in accordance with the approved details prior to the completion of the development.
Reasons: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, ensure future maintenance of the surface water drainage system and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.
15. Due to past processes and activities upon and adjacent to the above site, 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.

16. The development hereby permitted shall only be carried out in accordance with the avoidance measures set out in paragraphs 6.7 to 6.12 of the Ecological Assessment (Ref No. 2285.004/Rev C).

Reasons: To ensure that protected species are safeguarded and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the commencement of development, a scheme for the protection of the Biological Heritage Site both during (e.g. vehicle movements, storage of materials, pollution etc) and after construction shall have been submitted to and approved in writing by the Local Planning Authority. The details shall include a phasing schedule and a native species vegetated buffer between the site and the Biological Heritage Site. The scheme shall be implemented in accordance with the approved details and the phasing set out therein.

Reasons: To ensure the Biological Heritage Site is protected and in accordance with Policy No. EP4 of the Adopted Chorley Borough Local Plan Review.

18. The development hereby permitted shall not commence until full details of the junction and access road between the proposed development and the highway have been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be occupied or used until that junction and access road has been constructed/upgraded in accordance with the approved details.

Reason: In the interests of highway safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

19. The development hereby permitted shall not commence until samples of all external facing materials to the proposed dwellings (notwithstanding any details shown on the approved plans) 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 Chorley Borough Local Plan Review.

20. The final layout and design of the development to be submitted as part of a reserved matters application shall be prepared in accordance with the mitigation measures and recommendations contained in the WSP Environmental Noise Assessment Report dated 3rd March 2011.

Reasons: To provide satisfactory living conditions for future residents and in accordance with Policy No. Ep20 of the Chorley Borough Local Plan Review and PPG24.