

Item 11/00290/REMAJ/1
Case Officer Mrs Nicola Hopkins
Ward Eccleston And Mawdesley
Proposal Section 73 application to vary conditions 6 (boundary treatments), 7 (Code for Sustainable Homes) and 16 (approved plans) attached to planning approval 10/00866/REMAJ
Location Sagar House Langton Brow Eccleston Chorley Lancashire
Applicant Barratt Homes Manchester

Consultation expiry: 18 May 2011

Application expiry: 29 June 2011

Proposal

1. This application is a Section 73 application in respect of the residential development at Sagar House, Eccleston. Outline planning permission was granted to Northern Trust to develop the site in September 2010. The site was subsequently sold and Barratt Homes were granted reserved matters approval to construct 70 dwellings on the site in January 2011.
2. The reserved matters approval was granted subject to various conditions and Barratt Homes intend to vary 3 of these conditions as part of this S73 application

Recommendation

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

Main Issues

4. The main issues for consideration in respect of this planning application are:

- Principle of the development
- Condition 6
- Condition 7
- Condition 16
- Surface Water Drainage

Representations

5. 7 letters of objection have been received raising the following concerns:

- The amendment to condition 6 should not be approved due to the fact that no boundary treatment has been agreed. Discussions could have already started in this regard and concerns are raised that delaying this agreement could result in an unsatisfactory solution due to how far the development will have been allowed to progress

- Negotiations in respect of the boundary treatments cannot start until the Planners know the future impact and intentions of the developer
- Loss of amenity in respect of privacy, light and air
- The proposal would be contrary to Policy HS4 as it has not been established that a reasonable level of privacy will be maintained
- The proposed boundary treatment could be agreed in less than a month
- Highway safety concerns

6. **Eccleston Parish Council** object to the rewording of condition 6 as this would allow the development to progress without any form of boundary treatment and they object to the rewording of condition 7 as the whole development could be completed without the issuing of a certificate.

Assessment

Principle of the development

7. The principle of developing the site was established with the grant of both outline and reserved matters approval. This application purely proposes amendments to the detail of the approval which is addressed below.

Condition 6

8. Condition 6 of the reserved matters approval states:

Prior to the commencement of development all details for the boundary treatment that bounds the properties between those on 7-11 (odds) Shelly Drive and the proposed development and the boundary of the rear of those properties on Langton Brow (southern edge) shall be submitted to and agreed in writing by the Local Planning Authority. This shall include providing details of the level of the fence in relation to the existing ground level. The discharge of condition application for the fencing to be consulted on with residents and if there are objections then the discharge application should be referred to the Chair and Vice Chair of the Development Control Committee for a decision about reference to committee. The agreed scheme shall be maintained at all times to the satisfaction of the Local Planning Authority.

Reason: - To protect the amenities of the neighbouring properties and in accordance with saved policies GN5 and HS4 of the Adopted Chorley Local Plan Review.

9. The applicants, Barratt Homes, have applied to vary this condition to replace *Prior to the commencement of development* with *Prior to the occupation of the dwellings*. They have requested this amendment as they wish to consult the affected residents who currently differ in opinion about appropriate choice of boundary treatment. Barratts have confirmed that it is their intention to do this post commencement in a fortnightly residents' consultation meeting (required under condition 17 of the planning approval subject to discharge of condition application reference 11/00291/DIS).
10. Concerns have been raised by both residents and the Parish Council in regards to the amendments to this condition. These concerns can be summarised as follows: no alternative proposal has been provided which would not take long to draw up; concerned about the tactics to delay which seem to be to push the development so far down the line that it will be in Barratts favour for Chorley planning department to grant Barratts an unreasonable conclusion for the boundary finish, due to the development then being to advanced; the fence/ wall details

required as part of condition 4 has not been submitted; Policies GN5 and EM2 need to be addressed; the requirements of Policy HS4 have not been addressed in respect of the neighbours levels of privacy; The surrounding residents are consolidated in coming to an agreement with the applicants, and this process will not take any more than a month.

11. A separate application to discharge a number of the conditions attached to the reserved matters approval has been submitted by Barratt Homes. This discharge of condition application included condition 17 which requires full details of the proposed residents consultation procedure prior to the commencement of the development. The submitted document is considered to be acceptable and as such the condition has been discharged. Within this document there are copies of letters which have been sent to the relevant neighbours along Shelley Drive and Langton Brow initialising the discussions in respect of the boundary treatments,
12. The neighbours concerns are acknowledged in respect of the potential for the development progressing to an advanced stage without an agreed boundary treatment solution however it also appreciated that the current condition effectively stalls the development pending an agreed boundary treatment which may take several months for all the neighbours to be in agreement. As such it is considered reasonable to vary the condition however prior to occupation is not considered to be acceptable as the scheme could progress to an advanced stage without any agreement contradicting the principle of ensuring neighbour consultation as part of this development. The following variation is suggested:

Condition

13. Within 3 months of this planning approval or prior to the construction of plots 40-45 and 67-70 (whichever is the earliest) all details for the boundary treatment that bounds the properties between those on 7-11 (odds) Shelly Drive and the proposed development and the boundary of the rear of those properties on Langton Brow (southern edge) shall be formally submitted, as a discharge of condition application, to the Local Planning Authority. This shall include providing details of the level of the fence in relation to the existing ground level and full details of the consultation with neighbours and copies of any exchanges of correspondence in this regard. The Local Planning Authority will then consult with residents on the discharge of condition application and if there are objections then the discharge application should be referred to the Chair and Vice Chair of the Development Control Committee for a decision about reference to committee. The agreed scheme shall be maintained at all times to the satisfaction of the Local Planning Authority.
14. It is considered that this condition allows part of the development to commence, although the plots immediately adjacent to the affected properties will not be able to commence, whilst putting the onus on the developers to agree an appropriate way forward within a restricted time period with the relevant residents.
15. In respect of the neighbours other concerns this section 73 application is not considering the principle of redeveloping the site it is purely considering varying the specific conditional requirements of the approval. It is considered that the compromise in regards of condition 6 will ensure the neighbours achieve an agreeable and adequate level of privacy, in accordance with the relevant planning policies, whilst ensuring that the development is not stalled pending the conclusion of the negotiations which have been commenced by Barratt Homes.

Condition 7

16. Condition 7 of the reserved matters approval states:

No 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 in accordance with the approved assessment and certification unless the Local Planning Authority otherwise approve in writing.

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 the required Code Level and 2 credits under Issue Ene7 have been achieved and the Certificate has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change-Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

17. The applicants have applied to vary this condition due to the fact that the requirement for a 'Final Code Certificate' for Code Level 3 is issued by an independent regulator (the BRE). Barratts have had previous experience with this process and have confirmed that it can take several months for the certificate to be issued. As such it is not financially viable for Barratts to construct dwellings and leave them empty for several months awaiting the issuing of the certificate. As such they have suggested alternative wordings.
18. The delay in issuing Final Certificates has been raised as a concern on other schemes by other developers and as such it is acknowledged that this is a valid concern. To over come this issue it is proposed to split the condition up as follows:

Condition

- 1) 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.

Condition

- 2) No dwelling shall be occupied until a letter of assurance, detailing how the dwelling in question will meet the necessary code level, has been issued, to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.
19. Eccleston Parish Council have raised concerns that variations to this condition could result in dwellings being occupied before the final certificate is issued. It is likely that people will occupy the dwellings prior to the issuing of the final certificate however this is understood to be a normal procedure and the Council can be assured, by the above suggested conditions, that the dwelling will meet the relevant code level by the submission of the Design Stage Assessment prior to commencement. The assessor will issue 'letters of comfort' in-lieu of a BRE Certificate prior to the occupation of the dwellings which state that the plot in question will achieve the relevant Code level and the certificate will follow.
 20. It is considered that the above two suggested conditions adequately address the Code for Sustainable Homes requirement of Policy SR1 however Policy SR1 also requires housing development of above 5 houses to incorporate appropriate decentralised, renewable or low

carbon energy sources to reduce the carbon emissions of predicted energy use by at least 15%. This requirement was addressed within the originally attached conditions by the inclusion of 2 credits under Issue Ene7. Ene7 is one of the criteria which Code for Sustainable Homes is assessed against and by achieving 2 credits the scheme reduces carbon emissions by 15% by the use of Low/ Zero carbon technology. Barratts Homes have raised concerns in this regard.

21. Barratt Homes have stated that: *The new version of the code means we can achieve a 20% reduction in emissions without the need for low or zero carbon technologies (LZC). The old version means we can achieve a 15% reduction with LZC. We're in the fortunate position with this site of being able to build to either the new or old version. This condition forces us to use the old version and therefore provide a lower reduction in emissions. As the intention of the policy is to reduce emissions it is now out of step with the code.*
22. Additionally they have confirmed in respect of our Policy that *They are an outdated policy. National legislation, namely the Zero Carbon Hierarchy and Fabric Energy Efficiency Standard produced by the Zero Carbon Hub legislate the opposite way, ensuring the fabric achieves a minimum level before you can consider LZC technologies. The government now recognises this and in its consultation document 'Planning for a low carbon future in a changing climate' stated that 'planning low carbon communities requires joined up working' and planning needs to ensure that it integrates and doesn't duplicate policies. It goes on to state that post 2013 there will not be a need for Merton Rules, and leading up then there will be a step change whereby Part L and the CfSH will replace such policies. They can be counter-productive. Poorly administered renewable requirements only serve to encourage a scaled back fabric spec. The CO2 reduction therefore only lasts the life of the technology (say 25 years), as opposed to the life of the building (say 75 years). Ongoing maintenance of LZC technology doesn't always happen, and replacement upon end-of-life is expensive and is unlikely to happen. Therefore, predicted CO2 reductions from LZC technologies rarely are achieved. Recent discussions with RSL's indicate a strong preference towards CO2 emission savings secured through fabric improvement for this very reason. Fabric only, or at least fabric first, solutions ensure the maximum level of CO2 saving is embedded as an intrinsic part of the dwelling, with no need for 'buy-in' and education of occupiers.*
23. As with the concerns raised in regards to the Code for Sustainable Homes condition similar concerns in regards to the above comments have been raised by various developers on other schemes in the Borough. Policy SR1 was produced in accordance with Chorley's spatial vision "That by 2016, the principles of sustainable development and, in particular, a positive attitude to reducing carbon emissions, will run through all development activity, with Chorley Borough Council acknowledged as a leading authority enabling residents and businesses to reap economic, social and environmental benefits."
24. The application is required to be determined in accordance with the Development Plan, which Policy SR1 forms part of, unless material considerations indicates otherwise. It is considered that the background to the formulation of Policy SR1 relates to ensuring a reduction in carbon emissions. In respect of this site Barratt Homes intend to reduce carbon emissions at the site by 20% however this will not be through the implementation of low/ zero carbon technologies. It is considered that in this case, in line with recent publications, the most appropriate way of achieving carbon emissions is through the 'fabric first' approach. The fact that the suggested way forward achieves a higher percentage of carbon emission reductions than if Policy SR1 was strictly adhered to is a material consideration which outweighs the requirement to achieve a reduction in carbon emissions through the installation of low/ zero carbon technologies. As such the following condition is proposed:

Condition

25. Prior to the commencement of the development full details of the on site measures to reduce the carbon emissions of the development by 15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details.

Condition16

26. Condition 16 of the reserved matters approval states:

The approved plans are:

Plan Ref.	Received On:	Title:
406/OS01 edged in red)	28 September 2010	Existing Ordnance Survey Plan (Site
SDL 1763/1	28 September 2010	Existing Topographical Survey
406/ED01 Rev B	28 September 2010	Engineering Layout
C-715 01	28 September 2010	Landscape Proposals Sheet 1 of 2
C-715 02	28 September 2010	Landscape Proposals Sheet 2 of 2
406/PL01 Rev C	15 November 2010	Planning Layout
406/PL02 Rev A	15 November 2010	Materials Layout
406/PL03 Rev A	15 November 2010	Storey Heights Layout
406/PL04 Rev A	15 November 2010	Boundary Treatments Layout
406/PL05 Rev A	15 November 2010	Refuse Strategy Layout
406/PL06	15 November 2010	Boundary Treatments Layout (Colour)
406/T/Saw/01	28 September 2010	House Type Dwg-Severn/Washington
406/T/Was/01	28 September 2010	House Type Dwg-Washington
406/T/Pal/01 Terraced)	28 September 2010	House Type Dwg-Palmerston (End
406/T/Pal/02 (Semi/Terraced)	28 September 2010	House Type Dwg-Palmerston
406/T/M1/01	28 September 2010	House Type Dwg-M1 Bungalow
406/T/M2/01	28 September 2010	House Type Dwg-M2 Bungalow
406/T/Rip/02	28 September 2010	House Type Dwg-Ripley
406/T/Asc/01	28 September 2010	House Type Dwg-Ascot
406/T/Will/01	28 September 2010	House Type Dwg-Willerby
406/T/Bra/01	28 September 2010	House Type Dwg-Braemar
2010/YOR/A/01	15 November 2010	York House Type

2010/FAR/A/01	15 November 2010	Farringdon House Type
2010/HAR/A/01	15 November 2010	Harborough House Type
2010/WAR/A/01	15 November 2010	Warwick House Type
2010/STR/A/01	15 November 2010	Stratford House Type (1of2)
2010/STR/A/02	15 November 2010	Stratford House Type (2of2)
406/SS01	28 September 2010	Proposed Street Scenes
406/SS02	28 September 2010	Proposed Site Sections
406/G01	28 September 2010	Single Garage Details
406/G02	28 September 2010	Twin Garage Details
406/G03	28 September 2010	Double Garage Details
406/G04	28 September 2010	Triple Garage Details
406/WF01	28 September 2010	Wall and Fence Details.

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

27. The applicants have applied to vary this condition following comments received from the Highway Engineer, Simon Bromley, and also following the Ecology Code 3 Assessment.
28. During the consideration of the previous application comments were received from the Highway Engineer which led to amendments to the scheme which were reported in the original committee report. Following these amendments the Highway Engineer confirmed the layout did now meet the standards required both in design and for adoption. There were however an additional few minor tweaks suggested by the Engineer including minor amendments to the Community Square in and out arrangements, lengthening the driveways and amendments to the car parking arrangement at Plots 41/42. It is understood however that there was not sufficient time to incorporate these amendments and as such the approved plans listed within condition 16 did not incorporate the suggested tweaks. Barratt Homes intend to address this issue and have submitted the following amended plans:

- 406/ED01 Rev J Engineering Layout
- 406/PL01 Rev E Planning Layout
- 406/PL02 Rev B Materials Layout
- 406/PL03 Rev B Storey Heights Layout
- 406/PL04 Rev B Boundary Treatments Layout
- 406/PL06 Rev A Boundary Treatments Layout (Colour)
- 406/PL05 Rev B Refuse Strategy Layout

29. The amended plans include:

- Amendments to the highway layout in front of plots 41 and 42 to address the concerns with the car parking arrangement. The Engineer confirmed that both drives need access via a kerb frontage that runs at 90° to the drive. The amended layout demonstrates this

through amendments to the highway design and the parking arrangements for plots 41 and 42. It is not considered that these minor amendments adversely impact on the neighbours amenities.

- All of the driveways are a minimum length of 6m and all open ended parking bays are 5.5m in length as required.
- The community square used to have 2 x 6m radii at the same corner on the square which made it too difficult for vehicles to navigate. The Highway Engineer requested that the radii be removed so that the priority over the square was through one route only (as detailed on the refuse strategy plan). The engineering details for the scheme have been designed to reflect this and the roads and squares have been tracked for refuse/ fire vehicles.

30. It is considered that these amendments address the concerns raised by the Highway Engineer however copies of the amended plans have also been forwarded to the Highway Engineer at LCC again and his comments will be reported on the addendum.

31. All of the plans submitted, including the storey heights plan and the boundary treatment layouts, have been submitted to incorporate the amendments to the highway layout. The specific details including the height of the proposed housing reflects the original approval. The materials and boundary treatments were subject to a separate planning condition which has recently been discharged. The plans referred to in condition 16 will be amended to reflect the details submitted as part of the discharge of condition application.

32. There have also been amendments to the planting schedule following the completion of the Ecological Appraisal in March 2011. To reflect this the following amended plans have been submitted:

- C-715 01 Rev A Landscape Proposals Sheet 1 of 2
- C-715 02 Rev A Landscape Proposals Sheet 2 of 2

33. These plans and the appraisal have been forwarded to the Ecologist at Lancashire County Council. The comments received will be reported on the addendum.

Surface Water Drainage

34. Condition 12 of the Reserved Matters approval required the following details:

No development shall take place until details of the proposed surface water drainage arrangements 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 and EP19 of the Adopted Chorley Borough Local Plan Review.

35. Barratt Homes recently applied to discharge this condition as part of the recent discharge of condition application (11/00291/DIS) however the Environment Agency objected to the discharge of this condition on the grounds that the final agreed Flood Risk Assessment and the final detailed drainage design with associated calculations must be submitted to Chorley Council prior to discharging the condition. As such the condition was not discharged as part of the discharge of condition application.

36. Following the completion of the discharge of condition application the Environment Agency have confirmed *I refer to my previous response dated 27 April 2011 regarding Condition 12. The applicant has since contacted me to point out that the drainage scheme that was submitted to discharge Condition 12 of application 10/00866/REMMAJ was previously submitted to satisfy the drainage conditions attached to the Outline approval (09/00802/OUTMAJ). In our letter dated 18 November 2010 reference CE/2010/104103/03, and following clarification on a number of points, we accepted the drainage scheme as submitted in relation to 16 & 18 of 09/00802/OUTMAJ. Based on the above, we wish to revise our comments and confirm that we have no objection to the discharge of Condition 12 of approval 10/00866/REMMAJ.*

37. Following receipt of this confirmation it is proposed to amend condition 12 as follows:

Condition

The development hereby permitted shall be completed in accordance with the approved surface water drainage arrangements. 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 and Government advice contained in PPS25: Development and Flood Risk.

Overall Conclusion

38. It is acknowledged that the variations suggested by Barratt Homes are required to ensure the deliverability of the site and to create the most appropriate planning solution. Through negotiations it is considered that 3 months to agree the boundary treatment with the neighbours is adequate particularly taking into account this process has begun. This will ensure that the houses are not substantially constructed prior to an agreement with the neighbours. In respect of condition 7 it is considered that material considerations in this case outweigh the requirements of Policy SR1 and a greater level of carbon emissions reductions will be achieved. As such it is recommended that the conditions are varied in line with the above suggestions.

Other Matters

Section 106 Agreement

39. As the approval of this application results in the issuing of a new planning approval a short supplemental S106 Agreement is required tying this application into the original obligations.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25

North West Regional Spatial Strategy

Policies: DP1, DP4, DP7, RDF1, RDF2, W3, L4, L5, RT9, EM5, EM15, EM16, EM17.

Adopted Chorley Borough Local Plan Review

Policies: GN3, GN5, GN9, EP4, EP9, HT10, EP17, EP18, HS4, HS5, HS6, HS8, EM4, TR1, TR4, TR18, LT14.

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

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

Policy 1: Locating Growth

Policy 2: Infrastructure

Policy 4: Housing Delivery

Policy 7: Affordable Housing

Policy 17: Design of New Buildings

Policy 22: Biodiversity and Geodiversity

Policy 27: Sustainable Resources and New Development

Planning History

5/5/5189- Administrative and Executive Building. Approved 1965

08/01244/OUTMAJ- Outline application for the erection of 82 dwellings and associated roads and open space. Withdrawn

09/00146/OUTMAJ- Outline application for the erection of 82 dwellings and associated roads and open space. Refused

09/00802/OUTMAJ- Outline application for the erection of 70 dwelling houses with associated roads and open spaces. Approved September 2010

10/00866/REMAJ- Reserved matters application for the erection of 70 dwellings (1.5 storey, 2 storey and 2.5 storey) with associated roads and open spaces. Approved January 2011

11/00291/DIS- Application to discharge conditions 4, 5, 9, 10, 12 and 17 attached to planning approval 10/00866/REMAJ. Conditions discharged.

10/00866/REMAJ- Reserved matters application for the erection of 70 dwellings (1.5 storey, 2 storey and 2.5 storey) with associated roads and open spaces. Approved January 2011

11/00291/DIS- Application to discharge conditions 4, 5, 9, 10, 12 and 17 attached to planning approval 10/00866/REMAJ. Conditions discharged.

Recommendation: Permit (Subject to Legal Agreement)

Conditions

1. The proposed development must be begun not later than two years from the date of planning approval reference 10/00866/REMMAJ (17th January 2011). *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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any Order amending or revoking and re-enacting that Order, no other windows than shown on the approved plans shall be implemented on Plots 3, 40, 41, 42, 43, 44, 45, 67, 68 69, 70 unless otherwise agreed in writing by the Local Planning Authority. *Reason: To protect the amenity of the existing residents and in accordance with saved Policy HS4 of the Adopted Chorley Local Plan Review.*
3. The development hereby permitted shall only be carried out in conformity with the approved ground and building slab levels as discharged as part of application 11/00291/DIS. *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.*
4. The development hereby permitted shall be carried out in accordance with the approved details of the fences and walls to be erected as discharged by application 11/00291/DIS. 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.*
5. Within 3 months of this planning approval or prior to the construction of plots 40-45 and 67-70 (whichever is the earliest) all details for the boundary treatment that bounds the properties between those on 7-11 (odds) Shelly Drive and the proposed development and the boundary of the rear of those properties on Langton Brow (southern edge) shall be formally submitted, as a discharge of condition application, to the Local Planning Authority. This shall include providing details of the level of the fence in relation to the existing ground level and full details of the consultation with neighbours and copies of any exchanges of correspondence in this regard. The Local Planning Authority will then consult with residents on the discharge of condition application and if there are objections then the discharge application should be referred to the Chair and Vice Chair of the Development Control Committee for a decision about reference to committee. The agreed scheme shall be maintained at all times to the satisfaction of the Local Planning Authority. *Reason:- To protect the amenities of the neighbouring properties and in accordance with saved policies GN5 and HS4 of the Adopted Chorley Local Plan Review.*
6. 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. *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.*

7. No dwelling shall be occupied until a letter of assurance, detailing how the dwelling in question will meet the necessary code level, has been issued, to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be 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.*
8. Prior to the commencement of the development full details of the on site measures to reduce the carbon emissions of the development by 15% shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved details. *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*
9. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation. *Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.*
10. The development hereby permitted shall be carried out in accordance with the approved external facing materials as discharged by application 11/00291/DIS. *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*
11. The development hereby permitted shall be carried out in accordance with the approved hard ground- surfacing materials as discharged by application 11/00291/DIS. *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.*
12. 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.*
13. The development hereby permitted shall be completed in accordance with the approved surface water drainage arrangements. 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 and Government advice contained in PPS25: Development and Flood Risk.*
14. No dwelling shall be occupied until works for the drainage/disposal of foul water from the development have been completed in accordance with the approved plans. *Reason: To ensure proper drainage of the development and in accordance with Policy No. EP17 of the Adopted Chorley Borough Local Plan Review.*

15. The details as outlined in the 'The Former Sagar House Site, Langton Brow, Eccleston: Outline/Summary Mitigation Method Statement-ultimately to support an application for a licence under Regulation 44(2)(e) in respect of Great Crested Newts Triturus cristanus' (ERAP Ltd October 2010) shall be implemented and any changes required by Natural England at the European Protected Species licensing stage, shall be implemented accordingly. *Reason: To ensure the continued protection and enhancement of Great Crested Newts in accordance with PPS9 and saved Policy EP4 of the Adopted Chorley Borough Local Plan Review.*

16. 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), without prior written consent from the Local Planning Authority. *Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

17. The approved plans are:

Plan Ref.	Received On:	Title:
406/OS01 edged in red)	28 September 2010	Existing Ordnance Survey Plan (Site
SDL 1763/1	28 September 2010	Existing Topographical Survey
406/ED01 Rev J	30 th March 2011	Engineering Layout
406/PL01 Rev E	30 th March 2011	Planning Layout
406/PL02 Rev C	14 th April 2011	Materials Layout
406/PL03 Rev B	30 th March 2011	Storey Heights Layout
406/PL04 Rev B	30 th March 2011	Boundary Treatments Layout
406/PL06 Rev A	30 th March 2011	Boundary Treatments Layout (Colour)
406/PL05 Rev B	30 th March 2011	Refuse Strategy Layout
C-715 01 Rev A	30 th March 2011	Landscape Proposals Sheet 1 of 2
C-715 02 Rev A	30 th March 2011	Landscape Proposals Sheet 2 of 2
406/T/Saw/01	28 September 2010	House Type Dwg-Severn/Washington
406/T/Was/01	28 September 2010	House Type Dwg-Washington
406/T/Pal/01 Terraced)	28 September 2010	House Type Dwg-Palmerston (End
406/T/Pal/02 (Semi/Terraced)	28 September 2010	House Type Dwg-Palmerston
406/T/M1/01	28 September 2010	House Type Dwg-M1 Bungalow
406/T/M2/01	28 September 2010	House Type Dwg-M2 Bungalow
406/T/Rip/02	28 September 2010	House Type Dwg-Ripley

406/T/Asc/01	28 September 2010	House Type Dwg-Ascot
406/T/Will/01	28 September 2010	House Type Dwg-Willerby
406/T/Bra/01	28 September 2010	House Type Dwg-Braemar
2010/YOR/A/01	15 November 2010	York House Type
2010/FAR/A/01	15 November 2010	Farringdon House Type
2010/HAR/A/01	15 November 2010	Harborough House Type
2010/WAR/A/01	15 November 2010	Warwick House Type
2010/STR/A/01	15 November 2010	Stratford House Type (1of2)
2010/STR/A/02	15 November 2010	Stratford House Type (2of2)
406/SS01	28 September 2010	Proposed Street Scenes
406/SS02	28 September 2010	Proposed Site Sections
406/G01	28 September 2010	Single Garage Details
406/G02	28 September 2010	Twin Garage Details
406/G03	28 September 2010	Double Garage Details
406/G04	28 September 2010	Triple Garage Details
406/WF01	28 September 2010	Wall and Fence Details.

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

18. The development hereby permitted shall be completed in accordance with the approved Neighbour Consultation Document as discharged as part of application 11/00291/DIS. *Reason: To ensure that the existing residents are kept fully aware of the progress of the development.*
