

**Item 4e**                      **11/01021/FULMAJ**

**Case Officer**            **Nicola Hopkins**

**Ward**                        **Chorley South West**

**Proposal**                 **Change of use from farmland to a residential Dwelling Houses (C3 Use Class), to accommodate twenty five new build dwellings and associated infrastructure.**

**Location**                **Land between Southlands High School and Grundys Farm Clover Road Chorley Lancashire**

**Applicant**                **Adactus Housing Group Ltd**

**Consultation expiry:** **12 January 2012**

**Application expiry:** **24 February 2012**

### **Proposal**

1. The proposal incorporates the residential development of one of the parcels of land which make up the Gillibrand Housing Development (known as Parcel 10). The proposal relates to the erection of 25 dwellings all of which will be affordable rented housing units.
2. The site is approximately 0.77 hectares in size and forms part of the wider residential development of the area. The development will consist of 5 two bedroom houses, 14 three bedroom houses and 6 two bedroom flats. The development consists of semi-detached and terraced properties with a three storey detached block of 6 flats.
3. Outline planning permission was granted at the site in 1997 for housing, outdoor play space, education facilities, local shopping and community building (96/00727/CB4)

### **Recommendation**

4. It is recommended that this application is granted conditional planning approval.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Housing Development
  - Density
  - Levels
  - Design
  - Open Space
  - Trees and Landscape
  - Ecology
  - Traffic and Transport
  - Drainage and Sewers
  - Security
  - Noise

### **Representations**

6. 3 letters of objection have been received raising the following points:
  - Public consultation not wide enough

- Detrimental impact on the character and appearance of the locality
- Additional traffic along Clover Road
- Access for emergency vehicles?
- Create disruption during construction stage

7. **The Solicitors** who act on behalf of James Hart Chorley Ltd have made the following comments:

- Clover Road serves our client's business premises (which includes commercial vehicle repairs, MOT and servicing and sales and ancillary uses).
- On average there are 293 vehicles ranging in size from cars to 44 tonne articulated trucks incoming and outgoing from the Clover Road depot all day every day including weekend.
- Clover Road is insufficiently wide to cope with the current volumes of traffic and pedestrians and there are significant problems at the junction with Coppull Rd (B5251).
- This housing development with an additional circa 6-8 traffic movements per house per day onto Clover Road, would adversely affect our client's business and its ability to trade competitively. Indeed our client might have to consider relocating outside of the Borough.
- Our clients therefore object to the proposed application until the requirements of Policies GN5, GN9, TR1 and TR4 have been satisfactorily dealt with along with the health and safety issues
- In addition it is Our Client's clear recollection that its' objection to the original Gillibrands scheme in the 1990's was overcome in part by Chorley BC agreeing to place regular bollards and implement other traffic calming measures along Clover Road and as such Our Client requires these measures to be implemented now failing which it will consider whether the outline permission is valid.

8. **P Wilson and Company** have commented on behalf of the owner/ occupier of Grundy's Farm:

- The proposed development will require an agreement with our client concerning the realignment and variation of his fixed, legal right of way across the application site.
- Our client is concerned that the proposed junction will not be suitable for use by articulated and other heavy goods vehicles which need to access Grundy's Farm premises on virtually a daily basis; Messrs G Corner & Sons being haulage contractors operating from Grundy's Farm.

### **Consultations**

9. **Chorley Council Strategic Housing** have commented on the application which is addressed below:

10. **The Environment Agency** originally objected to the application due to the fact that the plans do not detail the route of the diverted culvert. However following the receipt of the highways and drainage layout they have withdrawn their objection subject to various conditions.

11. **The Architectural Design and Crime Reduction Advisor** have commented on the application which are addressed below

12. **Director People and Places** has no objection subject to various conditions relating to land contamination.

13. **Lancashire County Council (Highways)** initially had no objection to the proposals subject to the specific comments set out below. However following the receipt of the swept path analysis the highway engineer raised an objection which is addressed below.

## **Assessment**

### Principle of the development

14. The application site incorporates one of the last remaining parcels of land which form part of the Gillibrand Housing Estate development. The principle of developing the site for housing was established with the grant of planning permission in 1997 (96/00727/CB4) and therefore the development, in principle, is considered to be acceptable.
15. The proposal incorporates the erection of 25 residential dwellinghouses all of which will be affordable and managed by Adactus Housing Group Ltd, who are the applicants for the scheme. It has always been the intention, since the original grant of planning permission, that this site would accommodate affordable housing units and this site will aid in achieving the Council's affordable housing targets.

### Housing Development

16. The application proposes the erection of 25 residential dwelling units all of which will be affordable rent and accessed via Clover Road. The site is previously undeveloped Greenfield land which was identified within the Masterplan for the Gillibrands estate as one of the affordable housing parcels.
17. The immediate surrounding area is characterised by residential properties, with the residential properties on Clover Road to the west of the site, Wallets Wood Court to the north of the site and Kingsley Drive to the north-east of the application site. Southland High School is located to the south of the application site and James Hart Limited (a B2 business) accessed past the site via Clover Road.
18. Grundy's Farm is currently accessed via a private access road through the application site. These premises are currently operated as a haulage contractor.
19. The properties on plots 1-7 back onto the existing tree belt visible from Clover Road and properties proposed on plots 8-12 back onto Southland High School. As such there are no direct residential interface issues in respect of these properties.
20. The semi-detached properties proposed on plots 13 and 14 are located within a central position on the site with the rear garden of plot 13 bordering with the rear garden on plot 12. The originally submitted scheme only incorporated 6 metres from the proposed rear first floor bedroom window of plot 13 to the garden boundary of plot 12 however the plans have been amended removing the first floor rear bedroom window (resiting it within the side elevation which does not create any overlooking issues). The rear garden of plot 14 borders the parking court associated with the proposed apartment block and as such no overlooking issues are created.
21. The proposed 3 storey apartment block is sited along the eastern boundary of the site. To the rear of this apartment block is Kingsley Drive which is sited at a higher land level than the application site. To the rear of the apartment block the land raises upwards to the highway. There are no dwellings within this location on the western side of Kingsley Drive. The dwellings on the eastern side of Kingsley Drive immediately to the rear of the proposed apartment block are approximately 40 metres from the rear elevation of the proposed

apartment block and are sited at a higher land level. As such there will be no loss of amenity created.

22. The proposed apartment block will directly face the side elevation and part of the rear garden of plot 14, sited 15.4 metres away, and is 1.55 metres higher than plot 14. The Council's interface guidelines require 12 metres from window to gable however taking into consideration the level difference 16 metres should be retained. It is noted that this distance is not achieved by 0.6 metre however as the future residents will be aware of this relationship it is not considered that this slight reduction in spacing distances will adversely impact on the future residents amenities. In respect of the apartment block overlooking part of the rear garden on plot 14 the ground and first floor bay window proposed on the apartment block is located 13.4 metres from the boundary of the garden area. The Council's interface guidelines require 10 metres from window to garden boundary however taking into consideration the level difference 14 metres should be retained. It is noted that this distance is not achieved by 0.6 metres however this bay window only overlooks part of the rear garden area and it is not considered that this slight reduction in spacing distances will adversely impact on the future residents amenities.
23. The properties on plots 15-19 border the boundary with Grundys Farm with their rear elevations sited 8.4 metres from the site boundary. Grundys Farm is occupied by various outbuilding and a farmhouse and is currently occupied by a haulage contractor. The proposed dwellings back onto vacant land to the east of the existing farmhouse. The land at Grundys Farm is approximately 0.43 metres lower than the proposed slab levels of the dwellinghouses which will be addressed by the inclusion of a 0.45 metre high retaining structure in this location.
24. The Council's Spacing Standards usually require 10 metres from the rear elevation to the common boundary. However as this site is currently occupied by a haulage company and the fact that these houses back onto unused land, which is not private garden area, within the curtilage of Grundys Farm it is not considered that these dwellings will result in undue loss of privacy to the residents of Grundys Farm.

#### Affordable Housing

25. This parcel of land constitutes one of the last remaining affordable housing parcels identified within the Masterplan for the Gillibrands Housing Estate. As such all of the proposed dwellings will be affordable rented properties managed by Adactus Housing Group.
26. The Council's Housing Manager has assessed the scheme and confirmed that Adactus Housing Group have secured Affordable Housing Grant from the Homes and Communities Agency (HCA). Prior to submission of the planning application meetings have been held with Adactus and their architects to discuss and agree the property types and mix. As such the Housing Manager considers that the proposed mix is acceptable.
27. On completion the properties will be managed by Adactus Housing Group/CCH which meets the Council's requirements for the Affordable Housing provider to be a member of the Select Move choice based lettings system.

#### Density

28. The application site covers 0.77 hectares and the erection of 25 dwellings equates to 32 dwellings per hectare which is considered to be appropriate for this urban location.

## Levels

29. The levels across the site fall from the north east to the south west by approximately 2.5 metres. Full details of the proposed finished floor levels are included on the submitted layout plan. The finished floor levels range from 60.550 within the south-west corner of the site to 62.800 within the north-east corner of the site. The apartment block is located on the highest part of the site with a finished floor level of 63.000.
30. The level changes and potential impacts on existing and future residents are addressed above within the Housing Development section. To address the various level changes across the site and with the adjacent pieces of land retaining structures are proposed as part of the scheme. To demonstrate how this will work on site sections have been submitted in support of the application.
31. The site will be lower than the adjacent school land requiring a 750mm retaining wall along the rear garden boundaries of plots 8-10 and a 600mm high retaining wall along the boundary with the apartment block. As set out earlier the application site is higher than the adjacent Grundys Farm site requiring a 450mm high retaining structure in this location.
32. Retaining structures are also required internally within the site to deal with the and level difference. An 800mm retaining structure is required to the rear of plots 3-7 between the proposed gardens and the retained open space. Additionally a 1200mm retaining structure is required between the garden area of plot 14 and the adjacent parking area for the apartment block.
33. The submitted details have been assessed by the Council's Building Control Section and their comments will be reported on the addendum.

## Design

34. From a design perspective the proposed properties incorporate modern two and three storey residential development. The houses are faced predominantly in red brick (Wentworth Mixture) with interventions of cream render (colour buff) and roofed with grey concrete interlocking roof tiles (Grey Marley Modern). These materials are considered to be appropriate within this location.
35. All large dwellings have a recessed entrance, the smaller units having a monopitch porch arrangement. A boxed bay window to the ground floor living room / kitchen /dining room is proposed to the proposed apartments.
36. It is noted that there is a mixture of dwellings types and styles within the area including modern dwellings, larger detached dwellings and terraced properties constructed out of red brick with render a feature within the area. Having assessed the relationship of the proposed dwellings and the neighbouring dwellings the proposed properties can be accommodated on the site whilst protecting the neighbours' amenities and will introduce a modern development within the area.

## Open Space

37. In accordance with Policy HS21 of the Adopted Local Plan proposals for new housing development will be required to include provision for outdoor play space. In appropriate developments of less than 1 hectare a commuted sum from the development may be secured for use in the provision or improvement of open space facilities in the locality.

38. This parcel however forms part of the development of the Gillibrands estate. The public open space and play space for this development all forms part of the Masterplan for the site and was secured via the S106 Agreement for the whole site. As such in this situation there is no justification to require further contributions to play space.

#### Trees and Landscape

39. There are mature trees sited across the site and in this regard the application is accompanied by a Tree Survey. Of the trees surveyed one group has been classified as having high quality and value and 11 have been classified as having moderate quality and value. The remainder are considered to be of low quality with little amenity value.
40. The proposals include retaining the moderate and high quality trees and to secure this protection a Tree Preservation Order has been placed on the trees (Tree Preservation Order No. 1 (Chorley) 2012).

#### Ecology

41. In respect of the Ecological impacts of the scheme the application is supported by an Ecological Assessment. The assessment confirms that the following habitats are present within, or adjoining, the site, grassland, scrub, species poor hedgerow, woodland, broadleaved trees and a stream.
42. The site is comprised almost entirely of species rich modified neutral grassland. A species-poor hedge runs along the southern boundary of the site, separating it from the School. A wet feature at the base of a slope with no banks, which has become over grown lies along the east-west axis. No signs of protected species were recorded on site. The site contained Himalayan balsam.
43. The report concludes that there are no overriding ecological factors present that would preclude future development at this site and incorporates the following recommendations:
- If tree removal is necessary a closer inspection of the mature sycamore tree located in the north of the site will be required. A licensed bat ecologist should be consulted prior to any works commencing.
  - The woodland plantation to the west of the site should be retained and appropriately protected from damage during the clearance and construction phase of works.
  - Any tree, hedge or scrub removal should take place outside of the breeding bird season which is between March – September inclusive. If this is not possible the section to be removed and including a buffer of 10m either side, should be netted by an ecologist before March. Alternatively with regard to the hedges, nesting bird inspections can be carried out by an ecologist to confirm the presence/absence of breeding birds.
  - The wet feature situated to the north of the site should be protected and enhanced.
  - Himalayan balsam should be removed.
  - Replacement planting should be incorporated into the landscape proposals in order to maintain and enhance the biodiversity of the site. Enhancement of the site proposals with regard to biodiversity could be achieved by:
    - The installation of bat roost units within the new buildings and/or on suitable trees
    - The use of bird boxes within the new buildings and/or on suitable trees.
    - Green trellising, utilising ivy, honeysuckle or berry producing climbers, could be installed on buildings to provide foraging and sheltering opportunities for insects and birds.

44. It is evident from the report that there are no overriding ecological issues in respect of this site and the above suggestions can be addressed by condition. However the report has been forwarded to the Ecologist at Lancashire County Council for comment. These comments will be reported on the addendum.
45. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) 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.
46. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.
47. It is not considered that the proposals will adversely impact on protected species and as such the 3 derogation tests have been satisfied. Confirmation of this is sought for the Ecologist and will be reported on the addendum.

#### Traffic and Transport

48. The proposals have been assessed by the Highway Engineer at Lancashire County Council who originally confirmed that he had no overriding objection subject to specific comments which are addressed below. The Highway Engineer had sight of the objection letter received from James Hart when making his comments.
49. The Highway Engineer has made the following requests:
- The 80m section of the western footway of Clover Road (between the school tennis courts and the pumping station) - reinstated to provide a paved surface. (A commuted sum of £7,000 to be provided to reconstruct the soiled highway verge to provide a paved footway surface)
  - Construction works at the development site should be restricted until such time as when the school re-development works are complete.
50. It should be noted that the funding for this project is secured on the basis of a start on site in this quarter and completion prior to March 2013. The agent has confirmed that to not commence work until the school extension work is complete jeopardises the funding and delivery of this scheme. Also viability information has been submitted in support of this application and the applicant has confirmed that impact of an additional £7,000 on the costs of this scheme would threaten the viability of the project.
- In order to secure these requests conditions and planning obligations would be required which are required to meet certain tests. However it is not considered that these requests are directly related to the proposed development or necessary to make the development acceptable in planning terms and as such do not meet the tests for conditions or planning obligations.
51. The Highway Engineer acknowledges that there is traffic congestion along the road at school times along with traffic generated by the commercial business (James Hart). However the

Engineer considers that in terms of the number of vehicular movements the 25no dwelling units are likely to generate this increase in vehicle movements is unlikely to make a major difference given the existing level of traffic that is already experienced at school times.

52. During the course of the day, the development may reasonably generate up to 100-125 vehicle trips in total. The Engineer considers that the increase in vehicular trips will be within existing daily variations. The fact that there is presently significant on-street parking alongside the school, there should be no reason why this situation should continue long term as there is ample school staff parking on the campus and the construction workers should be away once the project is complete.
53. The construction phase will generate heavy goods vehicular movements but this will be temporary and it is possible, via condition, to make provision for the works to restrict vehicular movements outside of school hours. This can be addressed via condition and the applicant has already contacted the school to obtain information around Bramall's traffic management plan and delivery arrangements in order that these can be considered within the traffic management plan for development of this site.
54. The internal highway layout is considered to be acceptable. The Highway Engineer considers that in order for the new access road to be adopted for highway maintenance, this section of Clover Road at the access will require to be reconstructed to adoptable standards as part of the development.
55. Each dwelling has provision for 2 parking spaces which accords with current car parking standards and is therefore acceptable. However the Highway Engineer originally raised concerns in respect of the width of some of the spaces. He has requested that parking spaces adjacent to fence/building lines are increased width of 2.9m. Within the constraints of the site it is not possible to achieve this width although 2.5metres are provided which exceeds the standard 2.4 metres. Weighing up creating a suitable scheme from a streetscene perspective, the site constraints and the fact that this parking arrangement reflects that of Parcels 8 and 9 on the Gillibrands Estate in this case the parking is considered to be acceptable. It should also be noted that car ownership for affordable dwellings tends to be lower than market housing.
56. Swept path analyses were submitted in respect of access for vehicles utilising Grundys Farm. Following receipt of these plans the highway engineer raised concerns in respect of vehicle conflict. No concerns were raised in respect of car movements the concern related wholly to HGV access as the swept path analysis detailed the vehicles overrunning the northern footway and the potential highway concerns from cars meetings HGVs. This concern was also raised by the agents on behalf of Grundys Farm as set out above.
57. It is understood that Grundys Farm has an operators licence to operate 6 HGVs with trailers from the site but currently only uses two. The main concern is the articulated lorry which uses the site however the agent for the application has confirmed that it is possible to improve the situation by converting the unused footway on the west side of Clover Road and remove a tree.
58. The Highway Engineer requested further information to address his concerns which has been provided along with photomontages detailing an HGV at the access junction. The Highway Engineers final comments will be reported on the addendum.



### Drainage and Sewers

59. The site is located within a Flood Zone 1 area with a low probability of flooding. There is however a surface water pond located at the northern boundary of the site and an existing foul sewer pipe along the eastern part of the site. There are a series of land drains and a piped watercourse within the eastern section of the site both of which combine within a manhole central to the site access road and discharge into the pond/ stream along the northern boundary.
60. The proposals incorporate the diversion of the existing piped watercourse and the construction of a new outfall to the pond/stream. This proposed diversion will be located within the footprint of the new road and front gardens of the proposed dwellings.
61. The Environment Agency originally objected to the application as the originally submitted plans did not detail the existing location of the culvert and the proposed diversion route and as such the Agency could not comment on the proposed diversion. Following receipt of these comments a Highways and Drainage Layout Plan was provided. The Environment Agency have withdrawn their objection subject to conditions in respect of surface water drainage and surface water regulation prior to commencement.
62. Surface water from the proposed development is to discharge to the pond/stream and attenuated back to greenfield discharge rates to ensure that the development does not increase the risk of flooding. The surface water attenuation will be in the form of an oversized pipe located within the proposed access road with discharge into the new pond/stream.
63. Below ground rain water harvesting will be provided for each of the houses to reduce surface water volume discharge and mains water demand. Drainage for the site will incorporate a pumping station and outfall to the existing combined public sewer systems in Kingsley Drive or to the top of Clover Road. The existing public surface water drain to the north-west boundary of Kingsley Drive this will be retained with an easement area for future maintenance.

### Security

64. The proposals have been assessed by the Council's Architectural Liaison Officer who has made the following comments. There have been a number of recorded crimes in the area including damage to vehicles and burglary. The proposed site is being developed to Secured by Design Standards for full accreditation and crime reduction recommendations have already been designed into the plans.
65. The Liaison Officer has requested the following features within the scheme:
  - Gated locked access to rear of plots 9 and 16
  - The passageway should be well lit
  - The car parking area and arrangements for bin stores should be well lit
66. This can be addressed by condition.

### Noise

67. As the site is adjacent to an access to a commercial business, James Hart, and the access for haulage company goes through the site the application is accompanied by a Noise Assessment Report. The report concludes that on the basis of the measured noise levels it is estimated that an overall noise reduction of 15-20dB will be required in order to achieve

satisfactory conditions inside rooms in the development. The report provides recommendations in this regard which can be addressed via condition.

#### Section 106 Agreement

68. The planning obligations associated with the whole Gillibrands Estate were addressed at outline stage and as such a S106 Agreement is not required for this application.

#### **Overall Conclusion**

69. The principle of developing the site for housing was established in 1997 and this parcel was always proposed to accommodate affordable housing. The scheme will achieve additional affordable housing for the benefit of the Borough and as such the scheme is considered to be acceptable.

#### **Other Matters**

##### Sustainability

70. In September 2008 the first policy document, Sustainable Resources DPD, within Chorley's new Local Development Framework (LDF), was adopted. The applicants have confirmed that all of the dwellings will meet Level 3 of the Code for Sustainable Homes in accordance with Policy SR1 of the Sustainable Resources DPD.

71. This Policy also requires a 15% reduction in carbon emissions through the use of renewable energy. In this situation however the applicant, Adactus, have submitted a viability assessment in this regard. The costs involved in this scheme include the necessity of a pumping station, works relating to an existing culvert on site and the impact of changing levels on site requiring retaining structures. These factors also constrain the area of the site which is developable. This assessment demonstrates that any further costs would render the scheme financially unviable.

72. In this case it is considered that this scheme will assist in delivering the Council's Corporate Strategies in respect of affordable housing and although the full requirements of Policy SR1 will not be met following the enactment of the relevant section of the Localism Act (Section 143) funding is now a material planning consideration. As further requirements on the scheme would render it financially unviable it is considered suitable in this case to allow the scheme to proceed without the renewable energy requirement.

#### **Planning Policies**

##### National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG4, (draft PPS4), PPG17

Circular 05/2005 Planning Obligations

Circular 01/2006 (Communities and Local Government): Guidance on Changes to the Development Control System

##### North West Regional Spatial Strategy:

Policy DP1, Policy DP2, Policy DP3, Policy DP4, Policy DP5, Policy DP6, Policy DP7, Policy DP9, Policy RDF1, Policy W3, Policy W4, Policy L4, Policy L5, Policy RT9, Policy EM5, Policy EM15, Policy EM16, Policy EM17.

##### Adopted Chorley Borough Local Plan Review

Policies:

GN1: Settlement Policy- Main Settlements

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection  
EP9: Trees and Woodland  
EP17: Water Resources and Quality  
EP18: Surface Water Run Off  
HS4: Design and Layout of Residential Developments  
HS5: Affordable Housing  
HS6: Housing Windfall Sites  
HS21: Playing Space Requirements  
TR4: Highway Development Control Criteria

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 7- Affordable Housing  
Policy 17- Design of New Buildings  
Policy 22- Biodiversity and Geodiversity  
Policy 27- Sustainable Resources and New Developments

Chorley Site Allocations & Development Management Policies – Preferred Option, September 2011

HS1.13- Gillibrand

**Planning History**

**96/00727/CB4-** Regulation 4 outline application for housing, outdoor play space, education facilities, local shopping and community building. Approved November 1997

**98/00301/REM-** Reserved matters application for site reclamation & erection of 505 houses; incl. garages, roads, sewers, public open space, play areas, landscaping, community centre & shop(s). Amend condition 8 of outline planning permission. Approved February 1999

There have been numerous applications relating to the parcels across the whole of the site and in particular other affordable housing parcels:

**03/01380/FULMAJ-** Erection of 13 houses (Phase 12). Approved February 2004

**03/01381/FULMAJ-** Erection of 18 houses (Phase 11). Approved February 2004

**07/00999/FULMAJ-** Proposed 14 No Dwellings. (Parcel 8) Approved October 2007

**07/00998/FULMAJ-** Proposed 24 No dwellings. (Parcel 9) Refused October 2007

**07/01332/FULMAJ-** Erection of 24 No Dwellings. (Parcel 9) Approved February 2008

**Recommendation: Permit Full Planning Permission  
Conditions**

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

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

2. The approved plans are:

Plan Ref.	Received On:	Title:
P3072-006 Rev C	19 January 2012	Elevation Sheet 2
4078.02 Rev B	17 January 2012	Landscape Proposal
FIG 1 Rev C	3 January 2012	Tree Protection Plan
P3072-001	25 November 2011	Site Location Plan
P3072-008	19 January 2012	Site Sections
D01	4 January 2012	Highways and Drainage Layout
D03-2	4 January 2012	Longitudinal Sections
P3072-002 Rev D	9 December 2011	Site Layout Plan
P3072-007 Rev A	25 November 2011	Elevation Sheet 3
P3072-005 Rev A	25 November 2011	Elevation Sheet 1
SSL-8071E-200-2-2	25 November 2011	Topographical Survey
4078.01	22 November 2011	Tree Survey and Tree Root Protection
P3072-003 Rev A	22 November 2011	Floor Plans Sheet 1
P3072-004 Rev D	25 January 2012	Floor Plans Sheet 2

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

3. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

4. 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. 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.*

6. 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 areas so fenced. All excavations within the area so fenced shall be carried out by hand.  
*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*
7. The external facing materials detailed on the approved plans shall be used.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*
8. Prior to the commencement of the construction phase of the development (excluding the site enabling works) a construction management plan shall be submitted to and approved by the Local Planning Authority. The scheme and programme shall cover:

  - a. Details of the provisions made to restrict vehicular movements outside of school hours.
  - b. Site compound and contractor parking and management of contractors parking to ensure parking does not overspill onto surrounding roads.
  - c. Construction operating hours including deliveries and site construction staff.

The approved scheme and programme shall be implemented.  
*Reason: In the interests of highway safety and to ensure that noise and disturbance resulting from hours of operation and delivery does not adversely impact on the amenity of existing residents.*
9. Himalayan Balsam is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Himalayan Balsam to grow in the wild. Himalayan Balsam shall be controlled/treated in accordance with the Environment Agency Guidelines. *Reason: To ensure the eradication of Himalayan Balsam in accordance with the Wildlife and Countryside Act 1981 (as amended).*
10. The development hereby submitted shall incorporate the following features to ensure full Secured by Design accreditation:

  - a. Gated, locked and illuminated access to rear of plots 9 and 16
  - b. Illuminated car parking area and bin stores *Reason: In the interests of Crime and Safety within the site.*
11. The dwellings hereby approved shall be constructed in accordance with the mitigations measures set out within the submitted Noise Assessment.  
*Reason: To protect the amenities of the future residents and in accordance with Policy EP20 of the Adopted Chorley Borough Local Plan Review.*
12. Prior to the commencement of the development a scheme for the provision of surface water drainage 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 reduce the risk of increased flooding by ensuring the provision of a satisfactory means of surface water disposal. In accordance with Government advice contained in PPS24: Development and Flood Risk***

13. Prior to the commencement of the development a scheme for the provision and implementation of a surface water regulation system 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 reduce the risk of increased flooding in accordance with Government advice contained in PPS24: Development and Flood Risk***

14. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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

15. Prior to the commencement of the construction phase of the development a scheme for the construction of the site access shall be submitted to and approved in writing by the Local Planning Authority.

***Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site. in the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.***

16. Before the use of the site hereby permitted is first commenced, full details of facilities to be provided for the cleaning of the wheels of vehicles leaving the site shall be submitted to and approved in writing by the Local Planning Authority. The wheel wash facility shall be provided, in accordance with the approved details, before the use of the site hereby permitted is first commenced and thereafter retained at all times during operation of the site.

***Reason: To prevent the tracking of mud and/or the deposit of loose material upon the highway, in the interests of public safety and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.***

17. 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 dwellings on plots 13-19 (inclusive) 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.***

18. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by the *Chorley into 2016: Sustainable Resources Development Plan Document, March 2008*. No dwelling shall be occupied until a final

Code Certificate has been issued for it certifying that the required Code Level has been achieved.

*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.*

19. No site clearance, site preparation or development work shall take place until a method statement for the conservation of Bird's-foot (*Ornithopus perpusillus*) has been submitted to and approved in writing by Chorley Borough Council. The approved method statement shall be implemented in full.

*Reason: To ensure the continued protection of Bird's-foot (Ornithopus perpusillus) which is listed as 'vulnerable' in the Provisional Lancashire Red Data List of Vascular Plants. In accordance with Government advice contained in PPS9.*

20. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

*Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.*

21. No development shall take place (including site clearance, site preparation or development work) until a scheme of landscaping (incorporating habitat creation, enhancement and management plan) 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. Additionally the scheme shall demonstrate conservation of Bird's-foot; retention/replacement of bird and bat foraging habitat; retention and enhancement of features of existing biodiversity value including the 'wet feature' in the north of the site.

*Reason: In the interests of the amenity of the area and in the interests of the ecological value of the site. In accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.*

22. Further details of replacement nesting and roosting opportunities, as outlined in Appendix 4 of the report '*Gillibrands Parcel Chorley. Ecological Assessment*' (TEP report ref. 3095.002, November 2011), shall be submitted to and approved in writing by Chorley Borough Council prior to the commencement of the construction phase of the development. The approved details shall be implemented in full.

*Reason: To provide adequate replacement nesting and foraging habitat within the development in order to ensure that protected species and their habitat are protected from the adverse impacts of development. In accordance with Government advice contained in PPS9.*