

**Item 4i**                      **12/00102/FULMAJ**

**Case Officer**            **Mr David Stirzaker**

**Ward**                        **Chorley East**

**Proposal**                 **Erection of 28 dwellings (amendments to the number of dwellings (additional 4 no. dwellings over layout approved by 02/00680/FULMAJ & additional 13 no. dwellings over layout approved by 10/00820/FULMAJ), layout, design, landscaping and external appearance)**

**Location**                **Land Between Froom Street And Crosse Hall Lane Chorley**

**Applicant**                **Morris Homes Ltd**

**Consultation expiry:** **14 March 2012**

**Application expiry:** **14 May 2012**

### **Proposal**

1. The application incorporates amendments to a previously approved scheme. The original reserved matters scheme (02/00680/REMMAJ) incorporated the erection of 161 dwelling houses. An amendment to the original plans gained planning permission for 164 dwellings and a re-plan permitted in 2010 (Ref No. 09/00749/FULMAJ) increased the number of dwellings across the site to 172. The current proposals incorporate amendments to the north eastern part of the site and seek to amend the layout, design, landscaping and external appearance of the dwellings on this part of the site. Further re-plan applications were approved recently in 2010 (Ref No. 10/00820/FULMAJ) and 2011 (Ref No. 11/00494/FULMAJ).
2. The site is located between Froom Street and Cross Hall Lane, Chorley and covers a site area of 7.83 hectares. The principle of redeveloping the site for residential use was established as far back as 1988 with the grant of outline planning permission. In addition to this the site is allocated as a housing site within the Adopted Chorley Borough Local Plan Review.
3. The whole site is 7.83 hectares in size. The proposed amendments would result in the construction of 176 dwellings across the whole site which equates to a density of 22.73 dwellings per hectare. The part of the site which is the subject of this application covers an area of 0.538 hectares so the density of the re-plan area would equate to 50 dwellings per hectare which is higher than the average density across the site.

### **Recommendation**

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

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Proposed Amendments
  - Levels
  - Impact on the neighbours
  - Design
  - Trees and Landscape
  - Ecology

- Flood Risk
- Traffic and Transport
- Public Right of Way
- Contamination and Coal Mines
- Drainage and Sewers

### Representations

6. One letter of objection has been received, the contents of which can be summarised as follows:
  - The two houses nearest to Froom Street are too close and will not only create a feeling of intrusion and crowding on this stretch of road but will not be good for dwellers who will have contrived tiny gardens with close passage to HGV's using Froom Street
  - The approved layout was much more considerate of location/existing environment keeping a decent, sensible building line away from Froom Street
7. No letters of support have been received

### Consultations

8. **British Waterways** raise no objections in principle to the re-plan application. However, in terms of the land between the application site and the canal, it is requested that this land be included in the red edge and notice served on British Waterways so as the applicant can then be required, via a condition, to submit future management details of the land as if the land was not maintained, it could have a negative impact on the amenities of residents and canal users. An informative is also recommended regarding the works adjacent to the canal embankment.
9. No comments have yet been received from **Lancashire County Council (Ecology)** so any comments received will be reported in the Addendum.
10. **The Environment Agency** do not raise any objections to the application but support the recommendations in the submitted TEP Report 'Implications for Water Voles' for further surveys and revisions to the Working Method Statement as appropriate for works being undertaken as part of the overall development of the site. For re-grading of banks, details will need to be provided about the slope and suitability for Water Voles, habitat enhancement, mitigation and reinstatement.
11. **The Architectural Design and Crime Reduction Advisor** states that as the development is at an advanced stage, there are no specific comments to make on this application for 28 dwellings on part of the site although reference is made to recent reported crimes on Crosse Hall Lane and Froom Street. Of particular relevance are the crimes committed on the existing building site so it is recommended that the security arrangements on site are reviewed and additional deterrents are considered such as CCTV/night time security staff and enhanced motion sensor lighting.
12. No comments have been received from **United Utilities**. Any comments received will be reported in the Addendum.
13. **Lancashire County Council (Highways)** state that whilst some elements of the development do not comply with Manual for Streets resulting in an undesirable situation, in this instance, because the adjacent phase is similarly designed and built, no objections are raised.
14. **Chorley's Waste & Contaminated Land Officer** has not raised any specific issues in terms of land contamination but has raised concerns in terms of bin storage and collection with some of the plots.
15. **Lancashire County Council (Education)** have requested a contribution of £23,276 towards the provision of 2 no. primary school places within a 3 mile radius of the application site. This is based on there being an additional 5 no. dwellings on the site over the number of dwellings

approved as a result of a re-plan application in 2010. However, a further request has been sought to reflect the correct increase in housing numbers on the site which is actually 4 no. dwellings so this will be reported in the Addendum.

### **Applicants Case (if required)**

16. The applicant advises that the re-design of this part of the site will replace the approved dwellings with a more sustainable mix of housing that offers more choice to a wider market whilst offering repairing solutions to weaknesses within the current approved scheme. Specifically, the properties will have good sized rear gardens, dual aspect and corner turning dwellings will provide continuity to the streetscene whilst creating attractive frontages, cohesive streetscenes have replaced erratic building lines, more variety of elevations and fenestration has been provided and whilst the development also continues the 2 and 3 storey properties already built and approved on the wider site.

### **Assessment**

#### Principle of the development

17. The principle of redeveloping the site for residential development has been established for a number of years. Outline planning permission was originally granted in 1988 to develop the site for residential purposes. Reserved matters were granted at the site in 2003 (02/00680/REMAJ). This permission related to the erection of 161 dwellings and the development is currently under construction on site.
18. This is not an easy site to develop due to the significant levels changes across the site, the fact that the site is bounded by the canal and the M61 and the fact that the Black Brook bisects the site. The site has also been the subject of various applications to re-plan sections of the site as Morris Homes have tried to respond to an ever changing housing market.

#### Levels

19. The areas of development proposed cover the same areas of the site as already approved. The site is at a lower level than From Street and the canal. However, this application now proposes dwellings fronting onto the canal so this will continue the run of dwellings which already front onto the canal to the south which are 2 storey facing the canal and 3 storey to the rear elevations. The dwellings to the east of these will be at a lower level as they sit below the canal. There is then a further fall in levels down to Black Brook to the east.

#### Impact on the neighbours

20. The layout of the dwellings within the application site will provide a satisfactory inter relationship between the proposed dwellings and the existing dwellings and each dwelling will have sufficient private amenity space.
21. The existing development on the site has been completed up to the southern edge of the re-plan site. The Rivington house type proposed on plot 72 of the re-plan site will be close to the Rivington house type on plot 55 to the south which has been completed. However, this relationship is merely a continuation of the existing run of properties which are stepped and fronting onto the canal. Whilst the property on plot 72 would project beyond a 45° line drawn from the nearest edge of the habitable room windows in the rear of plot 55, there are 2 no. windows to each room in the rear of plot 55 which serve a lounge, family room and bedroom 2. Also, plot 72 is due north of plot 55 so will not experience a direct loss of sunlight as a result of the dwelling on plot 72 and the relationship is not dissimilar to that approved in 2010 (Ref No. 10/00820/FULMAJ) wherein a detached dwelling was sat further forward of the rear of plot 55 than is now proposed so this relationship is considered to be an acceptable one.
22. In terms of the relationship between the proposed and existing dwellings along the southern boundary of the re-plan site, the interface distances are sufficient to provide adequate levels of amenity for the occupiers of the existing dwellings and the proposed dwellings. The applicant also proposes a small 'duplex' property on plot 174 which will have a minimal amount of outdoor space. However, this issue is something a prospective purchaser will be aware of. Other than this, each property will also have sufficient outdoor amenity space. Elsewhere, the relationship between the proposed dwellings is an acceptable one and each of the dwellings facing onto Black Brook will have sufficient garden space to the rear as well.

23. On the basis of the above, the relationship between the proposed dwellings and the existing dwellings to the south of the site is considered to be an acceptable one.

#### Design

24. The re-plan of this part of the site will increase the density by replacing the previously approved detached dwellings with a mix of terraced and semi-detached properties, a single apartment and a duplex property. The re-plan now also proposes terraced split level properties fronting onto the canal as a continuation of what has already been built to the south. The properties are 2 storey when fronting the canal and 3 storey at the rear with 3 floors internally. There will be a pedestrian access pathway at the front of these properties, again matching the already built properties to the south which provide an attractive frontage to the canal rather than being rear on to the canal and at the foot of the embankment. Parking for these properties will be provided at the rear with car ports and uncovered spaces at a ration of 2 no. spaces per dwelling.
25. The re-plan also includes two pairs of corner properties fronting the road junction leading to the parking court. A pair of the same corner properties are also utilised facing onto Black Brook and Fromm Street. To the rear of plots 166 to 173 is a car parking area which utilises the natural bowl formed by the embankments leading up to the canal and Fromm Street. Access to this car parking area will be under the apartment (plot 172).
26. The frontage to Black Brook will now be a continuation of the higher density development to the south rather than the approved larger detached dwellings. The proposed re-plan will provide an interesting frontage to Black Brook albeit at a higher density than originally approved whilst also providing an interesting frontage onto the canal.
27. In terms of the comments made by British Waterways, the land in question is controlled by British Waterways and it is not considered reasonable to require the applicant to maintain this land following the completion of the development given it is open to British Waterways to maintain it as landowner.

#### Trees and Landscape

28. There are trees on the site which are protected by a Tree Preservation Order. However, none of those trees will be affected by the development of this part of the site.
29. The application has already been cleared ready for development so there is little in the way of landscaping to be retained. However, the proposed site plan indicates landscaping will be provided which will help to soften the development and assimilate it into the wider residential development site. A condition is therefore recommended requiring the final landscaping details to be submitted to the Council for consideration.

#### Ecology

30. The applicant has submitted a report with the application regarding the implications of the development in relation to Water Voles. LCC (Ecology) have not yet provided comments on the proposals but in relation to the most recent application on this part of the site, LCC (Ecology) considered that the development would not result in significant impacts on biodiversity hence the proposals appeared to be in accordance with biodiversity Planning Policy, guidance and legislation.
31. The Environment Agency have also commented on the biodiversity aspects of the application and support the recommendations in the submitted TEP Report 'Implications for Water Voles' for further surveys and revisions to the Working Method Statement as appropriate for works being undertaken as part of the overall development of the site. For regarding of banks, details will need to be provided about the slope and suitability for Water Voles, habitat enhancement, mitigation and reinstatement.

### Flood Risk

32. The Environment Agency have not raised any objections to the application in terms of flood risk and previous conditions requiring submission of drainage details are recommended to be attached again to any permission granted.

### Traffic and Transport

33. LCC (Highways) have stated that some elements of the layout do not accord with Manual for Streets but because of the layout of the parcel to the south, which adopts the same design approach, no objections are being raised in relation to the re-plan. The level of car parking across the site is satisfactory in that each dwelling will benefit from 2 no. off road parking spaces. Also, the parking court to the rear of plots 166 to 170 makes interesting use of the natural bowl formed by the embankments to From Street and the canal.
34. From a traffic and transport perspective, the

### Public Right of Way

35. Whilst there are public rights of way on the wider site, there are none that run through this part of the application site nor would any be affected by the re-plan of this part of the site.

### Contamination and Coal Mines

36. The application site falls within a British Coal Standing Advice Area. A standard informative is recommended to be attached to the planning permission drawing the applicants attention to this and the need to obtain specific information relating to any past coal mining activity and any other ground stability information in order to make an assessment of the risks associated with this.
37. The Environment Agency do not raise any concerns in relation to ground contamination nor does the Council's Waste and Contaminated Land Officer. Ground Contamination has been addressed on the site through previous planning applications whereby a Ground Investigation and Remediation Report has already been approved. As with the recent re-plan applications on this site approved in 2009, 2010 and 2011, a condition is recommended requiring an updated Method Statement to be agreed with the Council in writing if any further contamination is found during the course of construction works and that the site be remediated in accordance with the recommendations made in approved Ground Investigation and Remediation Report.

### Drainage and Sewers

38. United Utilities did not raise any objections to previous re-plan applications subject to the site being drained on a separate system with only foul drainage connected to the foul sewer whilst surface water should discharge directly into the adjacent watercourse for which Environment Agency consent may be required. United Utilities have not yet made comments on the application so any comments will be reported in the Addendum.
39. As with previous applications on this site, a condition is recommended requiring full surface water drainage details to be submitted to the Council for approval prior to the commencement of works. The Environment Agency also request that a previous surface water drainage condition and a condition requiring the implementation of a previously approved attenuation scheme be attached to any permission granted.

### Section 106 Agreement

40. An original Section 106 Agreement was secured on the site for the provision of on site affordable housing along with a commuted sum for off site affordable housing. The legal agreement also covered open space provision. The agreement was originally signed in 1999 and a supplementary agreement was signed in 2003 requiring the payment of additional commuted sums.
41. As the approval of the reserved matters has obviously been granted on the site and the date for submitting reserved matters has expired, this application is dealt with as a full application. As such a supplemental S106 agreement is required to tie this application into the Section 106 obligations and also secure a contribution towards primary school places to be paid to

Lancashire County Council which is likely to be around £20,000, the details of which will be reported in the Addendum.

### **Overall Conclusion**

42. The principle of developing the site for residential purposes was established nearly 20 years ago and the redevelopment of the site is currently ongoing. The amendments to the originally approved scheme proposed as part of this application are considered to be acceptable and it is not considered that the increase in the number of units will adversely impact on the development or the area as a whole as the overall number of houses on the site once fully completed will still be 15 more than originally approved. As such the amendments are considered to be acceptable subject to the signing of a supplemental S106 agreement linking this latest application to the original and previous approvals and to also secure the contribution towards primary school places.

### **Other Matters**

#### Sustainability

43. Since the grant of reserved matters approval in 2003 the Council now has an adopted Development Plan Document and Supplementary Plan Document on Sustainable Resources which requires the submission of a Sustainability Statement. The applicants have submitted a Sustainability Statement as part of this application. However, the dwellings which could be constructed on the application site are subject to the 2002 building regulations. The applicant has however specified that the dwellings which are the subject of this application would be constructed with energy efficiency improvements to reduce carbon emissions by 10-15% over the dwellings that could be constructed under the older Building Regulations. The same issue was encountered with the applications permitted in 2009 (Ref No. 09/00749/FULMAJ), 2010 (Ref No. 10/00820/FULMAJ) and 2011 (Ref No. 11/00494/FULMAJ) for re-plans of other parts of the site. These permissions included specific conditions requiring the applicant to submit full details of predicted energy use to demonstrate a reduction carbon emissions in accordance with Policy SR1 of the Development Plan Document given there is an extant permission on the site for dwellings that could be built to 2002 Building Regulations. The same condition is therefore recommended in relation to this application.

#### Waste Collection and Storage

44. In terms of the concerns expressed by the Council's Waste and Contaminated Land Officer, the applicant has submitted an amended plan which seeks to address these issues so the final comments on the amendments are being awaited. These will be reported in the Addendum.

### **Planning Policies**

#### National Planning Policies:

National Planning Policy Framework (NPPF)

#### Adopted Chorley Borough Local Plan Review

Policies: GN1 / GN5 / EP4 / EP9 / EP17 / EP18 / HS3 / HS4 / HS5 / HS6 / HS21 / TR4

#### Supplementary Planning Guidance:

- 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 5: Housing Density

Policy 7: Affordable Housing

Policy 17: Design of New Buildings

Policy 22: Biodiversity and Geodiversity

Policy 26: Crime and Community Safety  
Policy 27: Sustainable Resources and New Developments

### **Planning History**

9/88/527 - Outline application for residential development on approximately 8 hectares of land. Approved.

9/90/693 - Renewal of outline planning permission for residential development. Approved.

9/93/89 - Provision of canal bridge, access road and footways to serve approved residential development site. Approved.

9/93/332 - Application for renewal of outline planning consent no 9/90/693 for residential development of approximately 19.5 acres of land. Approved.

96/00391/FUL - Amendment to condition no 1 of outline planning permission 9/93/332 for residential development and open space to alter time period for submission of reserved matters from three to five years. Approved.

98/00207/OUT - Renewal of outline planning permission 9/93/332 for residential development. Approved.

98/00208/FUL - Renewal of planning permission 9/93/89 for provision of canal bridge, access road and footways to serve residential development site. Approved.

02/00680/REMAJ - Reserved Matters application for proposed housing development consisting of 161 dwellings and public open space Approved

02/01123/FULMAJ - Modification of condition 1 on planning permission 9/98/00207/OUT for residential development, to extend the period of time in which reserved matters can be submitted by one year. Withdrawn.

06/01057/FULMAJ - Substitution of house types and minor amendments to plots 1, 8, 10, 14, 15, 17, 31 and 32, and amendments to approved layout (02/00680/REMAJ). Approved.

06/01187/TPO - Crown reduce or remove assorted trees (removed trees to be replaced) some covered by TPO4 (Chorley) 2003. Approved October 2006

06/01301/FUL - Erection of electric substation to serve approved residential development. Approved.

07/00538/FUL - Proposed amendments to approved layout 9/02/00680/REMAJ. House type substitution to plot 25. Approved

07/01051/FULMAJ - House type substitutions, the erection of 3 additional dwellings and minor revisions to roads serving plots 84 - 161. Part amendment to the originally approved layout ref 9/02/00680/REMAJ (site area 7.83 hectares). Approved.

09/00749/FULMAJ - Erection of 37 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMAJ). Approved.

10/00820/FULMAJ - Amendment to siting, design, landscaping and external appearance of planning consents 09/00749/FULMAJ and 02/00680/REMAJ for residential development of site. Approved.

11/00431/DIS - Application to discharge conditions attached to planning permission no. 10/00820/FULMAJ which permitted the erection of 32 dwellings on part of the site (Discharged)

11/00432/DIS - Application to discharge conditions attached to planning permission no. 09/00749/FULMAJ which permitted the erection of 37 dwellings on part of the site (Discharged)

11/00494/FULMAJ - Erection of 23 dwellings (amendment to layout, design, landscaping and external appearance approval as part of planning approval 02/00680/REMMAJ and 07/01051/FULMAJ). Approved.

**Recommendation: Permit (Subject to Legal Agreement)  
Conditions**

**1. The approved plans are:**

| <b>Plan Ref.</b>       | <b>Received On:</b> | <b>Title:</b>                       |
|------------------------|---------------------|-------------------------------------|
| N/155/P/LP01           | 2 February 2012     | Location Plan                       |
| GR2-1                  | 2 February 2012     | Detached Garage Details Gable Roof  |
| 02054//PH4/SK3         | 2 February 2012     | Sections Through Phase 4            |
| N155/P/CRT/02          | 2 February 2012     | Proposed Carport Plans & Elevations |
| F1-1                   | 2 February 2012     | Standard Screen Fence Details 1     |
| 1950.10 Rev B          | 2 February 2012     | Landscape Structure Plan            |
| N155/P/THROS/01        | 2 February 2012     | Roseberry House Type Elevations     |
| N155/P/THROS/02        | 2 February 2012     | Roseberry House Type Floor Plans    |
| N155/P/HTDID/01        | 2 February 2012     | Didsbury House Type Elevations      |
| N155/P/HTDID/02        | 2 February 2012     | Didsbury House Type Floor Plans     |
| N155/P/HTDAL/01        | 2 February 2012     | Dalton House Type Elevations        |
| N155/P/HTDAL/02        | 2 February 2012     | Dalton House Type Floor Plans       |
| N155/P/BD/01           | 2 February 2012     | Budworth House Type Elevations      |
| N155/P/BD/02           | 2 February 2012     | Budworth House Type Floor Plans     |
| N155/P/HTROS/03        | 9 February 2012     | Roseberry House Type Elevations     |
| N155/P/HTROS/03        | 9 February 2012     | Roseberry House Type Elevations     |
| N155/P/HTRIV/04        | 9 February 2012     | Rivington House Type Floor Plans    |
| N155/P/BD/03           | 9 February 2012     | Budworth House Type Elevations      |
| N155/P/BD/04           | 9 February 2012     | Budworth House Type Floor Plans     |
| N155/P/SS02            | 12 April 2012       | Streetscene Elevations              |
| HB163/P/HTEDG/01 Rev A | 12 April 2012       | Edgeware House Type Elevations      |
| HB163/P/HTEDG/02 Rev A | 12 April 2012       | Edgeware House Type Floor Plans     |
| HB155/PL02 Rev SS      | 12 April 2012       | Planning Layout 02                  |

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

**2. All bathroom and en-suite bathroom windows in the dwellings hereby permitted shall be fitted with Pilkington Privacy Level 5 obscure glazing. Obscurely glazed windows shall be retained as such at all times thereafter.**

*Reason: In the interests of the privacy of occupiers of dwellings and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

**3. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on the approved plans. The development shall only be carried out in conformity with the approved levels 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.*

**4. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be**



seeded, paved or hard landscaped; and detail any changes of ground level or landform.

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

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. 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, to prevent flooding and to prevent pollution to the waterway. In accordance with Policy Nos. EP18 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS25: Development and Flood Risk*

7. Before any development hereby permitted is first commenced the temporary protective metal fencing along the full length and both sides of Black Brook shall have been erected in accordance with the approved details. The fencing, thereafter, shall remain in place at all times during the course of the permitted development being carried out, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To protect the watercourse and prevent debris and construction material from encroaching into this area and in accordance with Policy EP17 of the Adopted Chorley Borough Local Plan Review.*

8. The development hereby permitted shall be carried out in accordance with the approved scheme for the provision and implementation of a surface water regulation system to limit surface water run off from the completed development to existing rates.

*Reason: To reduce the increased risk of flooding and in accordance with Government advice contained in PPS25: Development and Flood Risk.*

9. Prior to the commencement of the development full details of the predicted energy use of the development expressed in terms of carbon emissions shall be submitted to an approved in writing by the Local Planning Authority. If no data specific to the application is available benchmark data will be acceptable. A schedule should include how energy efficiency is being addressed, for example, amongst other things through the use of passive solar design. It will be flexible enough to show the on-site measures to be installed and implemented so as to reduce carbon emissions in accordance with policy SR1 of the Sustainable Resources DPD. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD and Supplementary Planning Document*

10. Before the development hereby permitted is first commenced there shall have been submitted to and approved in writing by the Local Planning Authority a method statement for providing protection to protected species during the course of the

development including specific details of the re-grading works to the embankment, the suitability of the slope for water voles, habitat enhancement details, mitigation details, details of reinstatement and a ten year plan (including provision for protecting all protected species and their habitats) for the maintenance and management of all areas other than garden curtilages and highways. Thereafter, the approved method statement and ten year maintenance and management plan shall be fully complied with and implemented in full.

*Reason: In the interests of the visual amenities of the development, the amenities of future residents and nature conservation and in accordance with Policies GN5 and EP4 of the Adopted Chorley Borough Local Plan Review and Government advice contained in PPS9.*

11. 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 and EM2 of the Adopted Chorley Borough Local Plan Review.*

12. The development hereby permitted shall be carried out in accordance with the approved details of the measures to be taken, during the period of construction, to prevent mud and other debris being carried onto the public highway by vehicles leaving the site. The agreed measures shall be implemented in full before commencement of the development and retained in operation until such time as the development is complete.

*Reasons: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

13. All vehicles entering and leaving the site in connection with the construction of the development hereby permitted shall only do so via the new access road and canal bridge permitted under planning permission 9/98/00208/FUL, unless otherwise agreed in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and the amenities of local residents and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

14. The site shall be remediated fully in accordance with recommendations made in the Ground Investigation and Remediation Statement Ref: 588/02 Chorley, Crosse Hall Mill Farm (May 2004) by Woodford Consulting Engineers Ltd.

*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 the National Planning Policy Framework.*

15. 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 the National Planning Policy Framework.*

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E) (as amended), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings 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, the amenities of neighbours and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

17. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plans and

specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

18. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

*Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.*

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

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

20. Prior to the commencement of the development details of appropriate mitigation measures to prevent pollution of the waterway during and after the construction of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be implemented in accordance with the approved details.

*Reason: In order to avoid contamination of the waterway and ground water from wind blow, seepage or spillage at the site. In accordance with Policy EP5 of the Adopted Chorley Borough Local Plan Review.*

21. 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.*