

Item 4d **12/00269/REMMAJ**

Case Officer **Mrs Nicola Hopkins**

Ward **Chorley South East**

Proposal **Section 73 application to vary conditions 1 and 4 (approved plans) and 9 (finished floor levels), in respect of plots 58-68 and plot 75, attached to planning approval 11/01019/REMMAJ**

Location **Duxbury Park Myles Standish Way Chorley Lancashire**

Applicant **Arley Homes**

Consultation expiry: **7 June 2012**

Application expiry: **2 July 2012**

Proposal

1. This application is a Section 73 application to vary several of the conditions attached to the reserved matters approval for the residential parcel of land at the former Vertex training site, Myles Standish Way, which is being developed by Arley Homes. This application relates to plots 58-68 and plot 75 of the approved scheme.
2. Outline planning permission was originally granted to United Utilities in December 2008 to construct upto 200 dwellings and 10,800 square metres of B1 office space on the site. This outline approval was subsequently amended by virtue of a S73 application in January 2011 and Arley Homes were granted reserved matters approval for the erection of 135 dwellings on the residential part of the site in February 2011.
3. Since the original grant of reserved matters approval there have been 2 subsequent Section 73 applications to vary several of the planning conditions. This additional S73 seeks to further vary 3 of the conditions attached to the previous S73 application (ref: 11/01019/REMMAJ).

Recommendation

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

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Condition 1
 - Condition 4
 - Condition 9
 - Other issues raised

Representations

6. 23 letters of objection have been received raising the following points:
 - Where not told that the land levels would rise
 - The builders want to build 2.5 storey dwellings
 - These houses have already had a detrimental effect on the local environment.
 - They are overcrowded and have completely changed the nature of the community, from a peaceful neighbourhood to a housing estate.
 - The houses remove privacy and block out the light.

- They are too close and too high.
- Taking into account the different heights, it is imperative that these houses are not built any larger as they are not in keeping with the area.
- There is a 2 metre height difference between our house and the new ones that will be built behind us.
- Was not aware what FFL meant. At no stage in meetings with Arley Homes was this explained.
- Concerns about the proposed boundary treatment- want boundary hedge to be retained
- House too close
- unable to access plans
- levels too high
- scale of houses too big
- now they want to pile on ground next to me because they have infilled so much

7. 1 letter of support has been received raising the following points:
- The proposals remain in-keeping with that originally submitted to Chorley Borough Council
 - The total house number remains significantly below that originally granted for in the Open Planning Permission.
 - Arley Homes were the only builders to propose a stepped site - offering more privacy to adjacent properties.
 - In addition, it had always been the intention of Chorley Borough Council to develop this site and the majority of the Duxbury Estate which it acquired on 6th May 1932.
 - The Council had a General Development Plan drawn up in 1935 for the Duxbury Estate - which indicates that this site was proposed for roads and house-building.
 - Any nearby residents or property owners - would have had knowledge of such Development Plans or intentions had appropriate enquiries been made.

Consultations

8. **Lancashire County Council (Highways)** has no objection

Assessment

Principle of the development

9. The principle of redeveloping the site was established by the grant of outline planning permission and the subsequent reserved matters approval. This application purely proposes amendments to the detail of the approval which is addressed below.
10. When reserved matters was originally approved for the residential development of this site (February 2011) the scheme incorporated 135 dwellings. Subsequent amendments resulted in the loss of 1 dwelling unit and this application proposes the loss of 3 further units resulting in the erection of 131 dwellings on the site. The site area is approximately 3.8 hectares which equates to 34 dwellings per hectare.

Condition 1

11. Condition 1 of the S73 reserved matters approval stated:

The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

12. As set out below Arley Homes are suggesting some amendments to the approved scheme and as such the development will not be carried out in accordance with the approved plans as specified on the reserved matters approval, in the event that this S73 application is approved. If this application is approved an identical condition will be attached to the decision notice and condition 4, see below, will be amended to reflect the amendments approved.

Condition 4

13. Condition 4 of the S73 reserved matters approval stated:

The approved plans are:

Plan Ref.	Received On:	Title:
502-102 Rev Y	21 November 2011	Planning Layout
502	24 November 2010	Proposed Drainage Connections
1237-903 Rev L	9 August 2011	General Arrangements (Sheet 1 of 3)
1237-903 Rev L	9 August 2011	General Arrangements (Sheet 2 of 3)
1237-903 Rev L	9 August 2011	General Arrangements (Sheet 3 of 3)
115	25 November 2010	Footpath Diversion Plan
P.130.10.01	22 October 2010	Existing Site and Tree Survey
P.130.10.02 Rev B	22 October 2010	Tree Protection Arrangements
6010/01 Rev A	22 October 2010	Topographical Survey
502-103 Rev E	14 July 2011	Street Scenes
502-101	21 November 2011	Location Plan
502-111 Rev C	6 July 2011	Site Section Sheet 2
ASPUL-2/101 Rev B	6 July 2011	Aspull
EUXTON-3/101 Rev B	6 July 2011	Euxton
OXFORD-3/102 Rev C	6 July 2011	Oxford (Tile hanging details)
H119-4/101 Rev C	6 July 2011	Prestbury
ALDGATE A-3FL/101	6 July 2011	Aldgate A
ALDGATE A-3RL/101	6 July 2011	Aldgate A
LANGLEY-4FL/101	6 July 2011	Langley C
LANGLEY-4RL/101	6 July 2011	Langley C
LANGLEY-4FL/102	6 July 2011	Langley C
LANGLEY-4RL/102	6 July 2011	Langley C
THORNBURY-4/101 Rev B	6 July 2011	Thornbury
SOMERTON-4/101 Rev B	6 July 2011	Somerton
APPLETON-4S/102 Rev B	6 July 2011	Appleton (side entry garage)
APPLETON-4F/101 Rev C	6 July 2011	Appleton (front entry garage)
GRANTHAM-5FA/101 Rev C	6 July 2011	Grantham (front aspect)
GRANTHAM- 5FA/102 Rev B	6 July 2011	Grantham (front aspect)
GRANTHAM-5SA/103Rev C	6 July 2011	Grantham (front aspect)
GRANTHAM-5SA/101 Rev B	6 July 2011	Grantham (side aspect)
NEWBURY-5/101 Rev C	6 July 2011	Newbury (Tudor gable)
NEWBURY-5/102 Rev C	6 July 2011	Newbury (Tile hanging detail)
WAVERTON-5/101 Rev B	6 July 2011	Waverton (Tudor gable)
WAVERTON-5/102 Rev B	6 July 2011	Waverton
PORTLAND-5/101 Rev C	6 July 2011	Portland (Tudor gable)
HARBURY-5/101 Rev C	6 July 2011	Harbury (Tudor details)
SGL/DETAIL/101 Rev A	19 January 2011	Single Garage
DGL/DETAIL/101 Rev A	19 January 2011	Double Garage
D-SGL/DETAIL/101 Rev A	19 January 2011	Double & Single Garage
SD-??	22 October 2010	1800 High Closeboard Fence with 300mm Trellis
SD-??	22 October 2010	1800 High Closeboard Fence
SD-15-W01	22 October 2010	1800 High Brick Wall with Tile Crease
1237.904	1 February 2011	Vegetated Linear Features.
Ashbourne-4/101 Rev B	6 July 2011	Ashbourne
Ashbourne-4/102 Rev B	6 July 2011	Ashbourne
Richmond-4/101 Rev A	6 July 2011	Richmond
Hale-4/101 Rev A	6 July 2011	Hale
502-122 Rev B	6 July 2011	Site Sections Location Plan
502-110 Rev E	6 July 2011	Site Sections Sheet 1
502-111 Rev C	6 July 2011	Site Sections Sheet 2
502-112 Rev D	6 July 2011	Site Sections Sheet 3
502-113 Rev C	6 July 2011	Site Sections Sheet 4
502-114 Rev C	6 July 2011	Site Sections Sheet 5
502-115 Rev B	6 July 2011	Site Sections Sheet 6
502-116 Rev C	6 July 2011	Site Sections Sheet 7
H119-4/102 Rev A	6 July 2011	Prestbury (Tile Hanging)

Portland-S/102 Rev A	6 July 2011	Portland
Harbury-S/103 Rev A	6 July 2011	Harbury (Tile Hanging)
Grantham+-5/FA101	6 July 2011	Grantham +
Grantham+-5/FA102	6 July 2011	Grantham +
Grantham+-5/FA103	6 July 2011	Grantham +
CAMBRIDGE-3/101	6 July 2011	Cambridge
DURHAM-4/101	6 July 2011	DURHAM
MML01	22 July 2011	Master Materials Layout
02/03 Rev H	9 August 2011	Adoptable Drainage Layout
02-04/01 Rev F	9 August 2011	Longitudinal Sections Sheet 1 of 5
02-04/02 Rev G	9 August 2011	Longitudinal Sections Sheet 2 of 5
02-04/03 Rev E	9 August 2011	Longitudinal Sections Sheet 3 of 5
02-04/04 Rev C	9 August 2011	Longitudinal Sections Sheet 4 of 5
02-04/05 Rev F	9 August 2011	Longitudinal Sections Sheet 5 of 5

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

14. Arley Homes have applied to vary this condition as they are proposing changes to the layout, house types, streetscenes and other general amendments. The proposed amendments to the layout are as follows:

- Replacing 11 dwellinghouses (originally approved plots 58-68) with 8 detached dwellinghouses (proposed plots 58-65) which results in a reduction of 3 dwellings on the site. The changes propose:
 - Replacing 1 detached three bedroom Cambridge 2 storey house type (plot 58) , 2 semi-detached three bedroom Aldgate A 2.5 storey house types (plots 59 and 66), 6 semi-detached four bedroom Langley C 3 storey house types (plots 60-65), 1 detached five bedroom Newbury 2.5 storey house type (plot 67) and 1 detached five bedroom Waverton 2 storey house type (plot 68) with:
 - 4 detached five bedroom Newbury 2.5 storey house types (plots 58, 60, 62 and 64), 2 detached four bedroom Prestbury 2 storey house types (plots 59 and 63), 1 detached five bedroom Harbury 2.5 storey house type (plot 61) and 1 detached five bedroom Waverton 2 storey house type (plot 65)
 - Substituting and resiting the approved detached four bedroom Hale 2 storey house type (approved plot 69) with a detached four bedroom Prestbury 2 storey house type (proposed plot 66).
 - Resiting the approved four bedroom Ashbourne 2 storey house type on approved plot 70 (now proposed plot 67)
 - Resiting the approved four bedroom Ashbourne 2 storey house type and garage on approved plot 71 (now proposed plot 68)
 - Resiting the approved four bedroom Appleton 2 storey house type on plot 75 1 metre further into the site.

15. The originally submitted proposals incorporated 2.5 storey dwellinghouses along the common boundary with Carr Lane however the applicant was advised that this would not be considered acceptable (at outline stage the principle of a maximum 2 storey dwellings was established along this boundary due to the relationship with the existing properties). The plans were subsequently amended and the proposed properties within this part of the site are now 2 storey as set out above.

Condition 9

16. Condition 9 of the S73 reserved matters approval stated:

The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.

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.

17. The developers, Arley Homes, have assessed the land levels in this part of the site, as set out above a number of concerns have been raised in respect of the finished floor levels (FFL) of the approved dwellings. The proposed changes are as follows:
- Plot 58- approved FFL 88.70 proposed FFL 88.50 **REDUCTION OF 0.2**
 - Plot 59- approved FFL 87.65 proposed FFL 87.60 **REDUCTION OF 0.05**
 - Plot 60- approved FFL 86.50 proposed FFL 86.80 **INCREASE OF 0.3**
 - Plot 61- approved FFL 85.30 proposed FFL 85.40 **REDUCTION OF 0.1**
 - Plot 62- approved FFL 84.30 proposed FFL 84.70 **INCREASE OF 0.4**
 - Plot 63- approved FFL 84.30 proposed FFL 83.90 **REDUCTION OF 0.4**
 - Plot 64- approved FFL 83.45 proposed FFL 83.30 **REDUCTION OF 0.15**
 - Plot 65- approved FFL 82.55 proposed FFL 82.18 **REDUCTION OF 0.37**
 - Plot 65 garage. Approved FFL 82.10 proposed FFL 81.45 **REDUCTION OF 0.65**
 - Plot 66- approved FFL 81.85 proposed FFL 81.60 **REDUCTION OF 0.15**
 - Plot 67- approved FFL 81.50 proposed FFL 80.95 **REDUCTION OF 0.55**
 - Plot 68- approved FFL 80.90 proposed FFL 80.20 **REDUCTION OF 0.7**
 - Plot 68 garage. Approved FFL 80.50 proposed FFL 80.00 **REDUCTION OF 0.5**
18. The properties on plots 64-68 have common boundaries with the existing properties on Carr Lane and Little Carr Lane. The relationship between the proposed properties and the existing properties was assessed as part of the original reserved matters application as this is considered to be the most sensitive, in respect of the relationship between existing and proposed properties, part of the site. As set out above all of the proposed properties which have a common boundary with an existing property have been lowered in respect of their finished floor level. The relationship of each of these plots is addressed below.
19. Plot 64 is a 2.5 storey detached dwellinghouse which borders onto the rear garden boundary with 90 Carr Lane. At the closest point plot 64 is 18.5 metres from the common boundary. The standard spacing distance that the Council requires in respect of garden lengths, to ensure overlooking does not occur, is 10 metres which this distance exceeds however the proposed property is 2.5 storey and the additional garden length ensures that the rear dormer window does not lead to overlooking. There is no direct interface issues between the existing and proposed property due to the orientation of the proposed property.
20. Plot 65 is a 2 storey dwellinghouse which borders with 90 and 92 Carr Lane. There are two first floor rear bedroom windows within this property which are located 5 metres from the common boundary with 92 Carr Lane (bedroom 2) and 14 metres from the common boundary with 90 Carr Lane (bedroom 4). The relationship between the first floor bedroom window and the garden with 90 Carr Lane exceeds the minimum required 10 metres however the window to bedroom 2 is close to the boundary with 92 Carr Lane. In this part of the site however and due to the orientation of the properties this window faces only a small part of the immediate rear of the garden area ensuring that the main part of the private garden area is not overlooked. The relationship of the proposed property and the existing property reflects the previously approved layout for this part of the site although the proposed properties finished floor level has been lowered by 0.4 metres which will represent a better relationship on site.
21. Plot 66 is a 2 storey detached dwellinghouse which borders with 94 Carr Lane. 94 Carr Lane has a FFL of 81.73 which is higher than the proposed property on plot 66 (81.60). The originally proposed property on this plot incorporated 2 first floor rear bedroom windows. The window serving bedroom 3 is 13.5 metres and the window serving bedroom 4 was 7 metres from the common boundary with 94 Carr Lane. Due to the level difference between these two properties there is no requirement for additional spacing over and above the standard distances however the window to bedroom 4 was too close to the boundary with 94 Carr Lane. As such the Prestbury house type on this plot has been amended relocating the window serving bedroom 4 to the side elevation to ensure that there is no overlooking to the detriment of the residents amenities at 94 Carr Lane.
22. Plot 67 is a 2 storey detached dwellinghouse which borders with both 94 and 96 Carr Lane. 94 Carr Lane has a FFL of 81.73 which is higher than the proposed property on plot 67

(80.95). The proposed property incorporates 2 first floor rear bedroom windows. The window serving bedroom 4 is 18 metres from the common boundary with 94 Carr Lane and as such will not result in overlooking to the detriment of the neighbours amenities.

23. 96 Carr Lane has a FFL of 78.97 which is 1.98 metres lower than the proposed property on plot 67 (80.95). The proposed property incorporates 2 first floor rear bedroom windows. The window serving bedroom 3 is 25 metres from the common boundary with 94 Carr Lane. Due to the level difference an additional 6 metres is required over and above the Council's spacing distances (in this case a 16m long garden) which is achieved and exceeded in this part of the site. As such the proposed dwelling will not adversely impact on the neighbours amenities through overlooking.
24. Plot 68 is a 2 storey detached dwellinghouse which borders with both 96 and 98 Carr Lane. 96 Carr Lane has a FFL of 78.97 which is 1.23 metres lower than the proposed property on plot 67 (80.20). The proposed property incorporates 2 first floor rear bedroom windows. The window serving bedroom 4 is 23 metres from the common boundary and the window serving bedroom 3 is 19 metres from the common boundary with 96 Carr Lane. Due to the level difference an additional 3 metres is required over and above the Council's spacing distances (in this case a 13m long garden) which is achieved and exceeded in this part of the site. As such the proposed dwelling will not adversely impact on the neighbours amenities through overlooking.
25. The garage associated with plot 68 is located close to the boundary with 98 Carr Lane. 98 Carr Lane has a FFL of 79.42 which is 0.58 metres lower than the proposed garage (80.00). The garage will be sited over 15 metres from the rear of 98 Carr Lane and as such it is not considered that a single storey garage in this location will adversely impact on the neighbours amenities.
26. The proposed finished floor level of the property on plot 75 was originally proposed to be 15cm higher than the approved property on this plot however the plans have been amended reverting back to the approved FFL of 78.75. The property on plot 75 has been relocated further into the site resulting in a separation distance of 16.5 metres (originally 15.5 metres) between the dwelling and the common boundary of Little Carr Lane and a separation distance of 27 metres (originally 26 metres) between the dwelling and the main rear elevation of 8 Little Carr Lane.
27. 8 Little Carr Lane has a FFL of 77.63 which results in the property on plot 75 being 1.12 metres higher than 8 Little Carr Lane. This change in land levels requires a 3 metre increase in the Council's standard spacing distances (i.e. 13 metre long garden and 24 metres rear to rear distance). The garden distance is achieved and exceeded as is the rear to rear distance in respect of the main, original, rear elevation of 8 Little Carr Lane.
28. Planning permission was granted for a 2 storey rear extension at 8 Little Carr Lane in May 2005 (05/00304/FUL) which incorporates a first floor bedroom window 3.8 metres closer to the boundary than the original dwelling. The rear to rear distance between the property proposed on plot 75 and this rear window is approximately 23 metres whereas due to the level change 24 metres is required. However the approved dwelling on this site is 1 metre closer to the common boundary with 8 Little Carr Lane and it is considered that the proposed plans, which sites the dwelling further away from the boundary, creates a better relationship, in respect of the neighbours amenities, than the approved scheme in this part of the site.

Other issues raised

29. Concerns have been raised about the levels that some of the dwellings have been permitted to be built at. The plots subject to this application are addressed above in respect of their finished floor levels however this application does not relate to plots 72-74 or 91 (which border the existing properties on Little Carr Lane) and as such the finished floor levels of these properties are as per the original approval.
30. Concerns have been raised in respect of the lack of appropriate boundary treatments along the rear boundaries of the approved properties. The approved boundary treatment

incorporates a 1.8 metre high fence with 300mm trellis on top (2.1 metres high in total) with native hedge planting adjacent to the fence within the application site.

Section 106 Agreement

31. 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.

Overall Conclusion

32. The proposed amendments set out above will improve the relationship of the proposed properties with the existing properties and as such it is recommended that the conditions are varied to accommodate the proposed amendments.

Planning Policies

National Planning Policies:

National Planning Policy Framework

North West Regional Spatial Strategy:

Policies DP1, DP4, DP7, RDF1, L4, L5, RT9, EM1, EM5, EM15, EM16, EM17

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS21, EM1, EM2, TR1, TR4, TR18

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 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

Policy 28: Renewable and Low Carbon Energy Schemes

Policy 29: Water Management

Policy 30: Air Quality

Sites for Chorley- Issues and Options Discussion Paper December 2010

CH0174 Chorley Training and Conference Centre, Little Carr Lane

Planning History

06/00850/CB3- Creation of an access junction off the proposed Eaves Green Link Road (site area 0.31ha). Approved November 2006

08/01044/OUTMAJ- Outline application for the erection of a mixed use development incorporating residential and B1 employment use following the demolition of the existing buildings (7.2 hectares). Approved December 2008

10/00004/DIS- Application to discharge condition 29 of planning approval 08/01044/OUTMAJ. Discharged January 2010

10/00240/DIS- Application to discharge condition 14 of planning approval 08/01044/OUTMAJ. Discharged April 2010

10/00888/FULMAJ- Application to vary conditions 11, 12 (ground remediation), 19 (surface water attenuation) and 21 (archaeology) of outline planning permission ref: 08/01044/OUTMAJ to enable the site to be developed in phases. Approved 11th January 2011

10/00946/REMAJ- Reserved Matters application, pursuant to Section 73 planning permission 10/00888/OUTMAJ, proposing full details for the siting, layout, appearance and landscaping for a residential development comprising 135 dwellings at Duxbury Park, Myles Standish Way, Chorley. Approved February 2011

11/00190/DIS- Application to discharge conditions 6, 8, 9, 12, 13, 14, 19, 21, 22, 24, 26, 27, 28, 29, & 30 attached to planning approval 10/00946/REMAJ. Discharged May 2011

11/00263/FUL- Construction of a temporary junction and access road for use during the construction period. Approved May 2011

11/00453/REMAJ- Section 73 application to vary conditions 1 (approved plans), 4 (approved plans), 10 (finished floor levels in respect of plots 6-8, 80-89 and 126-134), 26 (carbon emissions) and 27 (code for sustainable homes) attached to planning approval 10/00946/REMAJ. Approved August 2011

11/00947/DIS- Application to discharge conditions 5, 10 and 18 attached to planning approval 11/00453/REMAJ. Discharged January 2012

11/01019/REMAJ- Section 73 application to vary conditions 1 and 4 (approved plans) and 25 and 27 (plot references) attached to planning approval 11/00453/REMAJ. Approved April 2012

**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 10/00946/REMAJ (9th February 2011) or not later than six years from the date of the outline planning permission (reference 08/01044/OUTMAJ) 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. All windows in the first floor of the rear elevation on plots 77 and 78 shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.**
- 3. The approved plans are:**

Plan Ref.	Received On:	Title:
502-105 Rev B	22 May 2012	Planning Layout
502	24 November 2010	Proposed Drainage Connections
1237-903 Rev L	9 August 2011	General Arrangements (Sheet 1 of 3)
1237-903 Rev L	9 August 2011	General Arrangements (Sheet 2 of 3)
115	25 November 2010	Footpath Diversion Plan
P.130.10.01	22 October 2010	Existing Site and Tree Survey

P.130.10.02 Rev B	22 October 2010	Tree Protection Arrangements
6010/01 Rev A	22 October 2010	Topographical Survey
502-103 Rev E	14 July 2011	Street Scenes
502-101	21 November 2011	Location Plan
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ASPUL-2/101 Rev B	6 July 2011	Aspull
EUXTON-3/101 Rev B	6 July 2011	Euxton
OXFORD-3/102 Rev C	6 July 2011	Oxford (Tile hanging details)
H119-4/101 Rev C	6 July 2011	Prestbury
ALDGATE A-3FL/101	6 July 2011	Aldgate A
ALDGATE A-3RL/101 Rev B	16 May 2012	Aldgate A (plots 48, 51 and 59)
LANGLEY-4FL/101	6 July 2011	Langley C
LANGLEY-4RL/101 Rev B	16 May 2012	Langley C (Plots 49 and 50)
LANGLEY-4FL/102	6 July 2011	Langley C
LANGLEY-4RL/102	6 July 2011	Langley C
THORNBURY-4/101 Rev B	6 July 2011	Thornbury
SOMERTON-4/101 Rev B	6 July 2011	Somerton
APPLETON-4S/102 Rev B	6 July 2011	Appleton (side entry garage)
APPLETON-4F/101 Rev C	6 July 2011	Appleton (front entry garage)
GRANTHAM-5FA/101 Rev E	16 May 2012	Grantham (front aspect) (Plots 13, 39, 41 and 76)
GRANTHAM- 5FA/102 Rev B	6 July 2011	Grantham (front aspect)
GRANTHAM-5SA/103 Rev C	6 July 2011	Grantham (front aspect)
GRANTHAM-5SA/101 Rev B	6 July 2011	Grantham (side aspect)
NEWBURY-5/101 Rev C	6 July 2011	Newbury (Tudor gable)
NEWBURY-5/102 Rev E	16 May 2012	Newbury (Tile hanging detail) (Plots 6, 60, 64, 93, 100, 129 and 131)
NEWBURY-5/103	16 May 2012	Newbury B (Tudor detail) (plots 58 and 62)
WAVERTON-5/101 Rev B	6 July 2011	Waverton (Tudor gable)
WAVERTON-5/102 Rev D	16 May 2012	Waverton (Plots 91, 65 and 126)
PORTLAND-5/101 Rev C	6 July 2011	Portland (Tudor gable)
HARBURY-5/101 Rev D	16 May 2012	Harbury (Tudor details) (Plots 61 and 128)
SGL/DETAIL/101 Rev A	19 January 2011	Single Garage
DGL/DETAIL/101 Rev A	19 January 2011	Double Garage
D-SGL/DETAIL/101 Rev A	19 January 2011	Double & Single Garage
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SD-??	22 October 2010	1800 High Closeboard Fence
SD-15-W01	22 October 2010	1800 High Brick Wall with Tile Crease
1237.904	1 February 2011	Vegetated Linear Features.
Ashbourne-4/101 Rev C	16 May 2012	Ashbourne (plot 68)
Ashbourne-4/102 Rev C	16 May 2012	Ashbourne (plots 67 and 74)
Richmond-4/101 Rev A	6 July 2011	Richmond
Hale-4/101 Rev A	6 July 2011	Hale
502-122 Rev B	6 July 2011	Site Sections Location Plan
502-110 Rev E	6 July 2011	Site Sections Sheet 1
502-111 Rev C	6 July 2011	Site Sections Sheet 2
502-112 Rev D	6 July 2011	Site Sections Sheet 3
502-113 Rev C	6 July 2011	Site Sections Sheet 4
502-114 Rev C	6 July 2011	Site Sections Sheet 5

502-115 Rev B	6 July 2011	Site Sections Sheet 6
502-116 Rev C	6 July 2011	Site Sections Sheet 7
502-117 Rev G	16 May 2012	Street scenes
502-120	16 May 2012	Site Sections (No. 94 Carr Lane and Plot 66)
502-118.1 Rev A	16 May 2012	Site Sections Proposed
H119-4/102 Rev C	22 May 2012	Prestbury (Tile Hanging) (Plots 9, 12, 35, 55, 57, 63, and 96)
H119-4/101 Rev D and 133)	16 May 2012	Prestbury (Tudor Detail) (Plots 10, 59
H119-4/103	22 May 2012	Prestbury (Tile Hanging) (Plot 66)
Portland-S/102 Rev A	6 July 2011	Portland
Harbury-S/103 Rev C	16 May 2012	Harbury (Tile Hanging) (Plots 7, 89, 132 and 134)
Grantham+-5/FA101	6 July 2011	Grantham +
Grantham+-5/FA102	6 July 2011	Grantham +
Grantham+-5/FA103	6 July 2011	Grantham +
CAMBRIDGE-3/101 Rev A	16 May 2012	Cambridge (Plots 15, 52 and 98)
DURHAM-4/101	6 July 2011	DURHAM
MML01 Rev F	16 May 2012	Master Materials Layout
02/03 Rev H	9 August 2011	Adoptable Drainage Layout
02-04/01 Rev F	9 August 2011	Longitudinal Sections Sheet 1 of 5
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02-04/04 Rev C	9 August 2011	Longitudinal Sections Sheet 4 of 5
02-04/05 Rev F	9 August 2011	Longitudinal Sections Sheet 5 of 5
1237-906 C	20 October 2011	Entrance and Boundary Details
1237-903 M	20 October 2011	General Arrangements (Sheet 3 of 3)

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

4. Within one year of or within the first planting and seeding season following the completion of the access junction (whichever is the sooner) the structure planting along the access road and boundary of the site with Myles Standish Way shall be completed in accordance with approved plans (Entrance and Boundary Details ref: 1237-906 C and General Arrangements Sheet 3 of 3 ref: 1237-903 M) submitted as part of discharge of condition application 11/00947/DIS. *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. The development hereby permitted shall be carried out in accordance with the approved remedial measures (Section 7 of the updated ground investigation and risk assessment, dated 28th May 2010, Ref: CL1301-03 submitted as part of discharge of condition application 11/00190/DIS.) and in accordance with the conclusions of the Shallow Mining & Mineshaft Investigation, (dated 16th June 2010, Ref: CL1207-02-R1 submitted as part of discharge of condition application 11/00190/DIS). *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 the National Planning Policy Framework*
6. Upon completion of the remediation works for each phase (as identified by LK Consult Limited Figure 1 Drawn August 2010) a validation report for that phase containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority. *Reason: To protect the environment and prevent harm to human*

health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in the National Planning Policy Framework

7. The development hereby permitted shall be carried out in accordance with the approved Arboricultural Method Statement (submitted as part of discharge of condition application 11/00190/DIS) and the Ecologists suggestions (set out in the letter to Arley Home dated 17th May 2011). *Reasons: In the interests of the continued protection of the Biological Heritage Site. In accordance with Policy EP2 of the Adopted Chorley Borough Local Plan Review.*
8. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans. *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.*
9. The access link from Little Carr Lane shall not be used for vehicular access purposes. *Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.*
10. The development hereby permitted shall be completed in accordance with the approved surface water drainage scheme (Longitudinal Sections reference 02-04/01 Rev F, 02-04/02 Rev G, 02-04/03 Rev E, 02-04/04 Rev C, 02-04/05 Rev F, and the drainage layout reference 02-03 Rev H submitted 9th August 2011). *Reason: To reduce the risk of flooding at the site and in accordance with Government advice contained in the National Planning Policy Framework*
11. The development hereby permitted shall be carried out in accordance with the approved programme of archaeological work (undertaken by John Trippier Archaeological and Surveying Consultancy/Bluestone Archaeology submitted as part of discharge of condition application 11/00190/DIS). On completion of the archaeological work the final report shall be submitted to and approved in writing by the Local Planning Authority. *Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.*
12. During the construction period, all trees to be retained shall be protected in accordance with the approved Tree Protection Arrangements Plan (reference P.130.10.02 Rev B) submitted as part of discharge of condition application 11/00190/DIS. 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.*
13. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. *Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.*
14. 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 the National Planning Policy Framework

15. No dwelling hereby permitted shall be occupied until the highway alterations to the site access with Myles Standish Way, to include access roads into the two employment areas located to the east and west of the access junction, as set out on plan reference B3141 P017A, dated 21st November 2008, or any other such works which have been submitted to and approved in writing by the Local Planning Authority, have been completed to the satisfaction of the Local Planning Authority. ***Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.***
16. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. ***Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.***
17. The approved Neighbourhood Consultation Document (undertaken by Arley Homes submitted as part of discharge of condition application 11/00190/DIS) shall be implemented and completed in accordance with the approved procedure. Copies of the update letters shall be sent to the Local Authority to keep a record on the file. ***Reason: To ensure that the existing residents are fully aware of the progress of the development.***
18. The external facing materials detailed on the approved plans shall be used and no others substituted without the prior written approval of the Local Planning Authority. ***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.***
19. The development hereby permitted shall only be carried out in conformity with the approved hard ground- surfacing materials (General arrangements plan- reference 1237-903 Rev L, submitted 9th August 2011 (sheets 1-3)). ***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.***
20. All planting, seeding or turfing comprised in the approved details of landscaping (General arrangements plan- reference 1237-903 Rev L, submitted 9th August 2011 (sheets 1-3)) 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.***
21. No dwelling on plots 2, 6, 9, 10, 12, 14, 16, 31, 32, 35, 36, 37, 40, 49, 50, 53, 56, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 74, 77, 78, 81, 82, 83, 84, 85, 86, 90, 119, 120, 121, 122, 123, 124, 129, 131 and 133 shall be occupied until a garden shed has been provided in accordance with the approved details (submitted as part of discharge of condition

application 11/00190/DIS). The garden sheds shall be retained in perpetuity thereafter. *Reason: The garages are smaller than would normally be provided and therefore to ensure sufficient storage/cycle storage is provided at the properties in accordance with Manual for Streets*

22. The garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995. *Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review*
23. The open market dwellings hereby approved shall be constructed in accordance with and incorporate the approved on-site low/ zero carbon technology set out in Appendix A of the Renewable Energy Options Appraisal (submitted as part of discharge of condition application 11/00190/DIS). The approved measures shall be retained in perpetuity. *Reason: To ensure the proper planning of the area. In line with Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD*
24. Within 1 month of this planning approval full details of the on-site measures, in respect of the affordable dwellings hereby approved (plots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,28, 29, 102, 103, 104,105, 106, 107, 108, 109, 110, 111, 112, 113, 114 and 115), to reduce the carbon emissions of the development by 6% (related to predicted energy use using the 2006 Building Regulations as the base figure) shall be submitted to and approved in writing by the Local Planning Authority. The approved measures shall be retained in perpetuity. *Reason: To ensure the proper planning of the area. In line with Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD*
25. All of the open market dwellings hereby approved shall meet Code for Sustainable Homes Level 3, in accordance with the submitted Renewable Energy Options Appraisal (submitted as part of discharge of condition application 11/00190/DIS). The approved details shall be retained in perpetuity. Please note any dwellings commenced after 1st January 2013 will be required to meet Code for Sustainable Homes Level 4. *Reason: To ensure the proper planning of the area. In line with Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD*
26. Within 1 months of this planning approval full details of how all of the affordable dwellings (plots 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27,28, 29, 102, 103, 104,105, 106, 107, 108, 109, 110, 111, 112, 113, 114 and 115) hereby approved achieve a minimum of 21 credits in respect of Code for Sustainable Homes criteria shall be submitted to and approved in writing by the Local Planning Authority. The measures shall include details of the following and the credits awarded to each:
 - Low energy lighting
 - All white goods fitted
 - Any external lighting
 - Fixtures and fittings designed to reduce water consumption
 - Rainwater collection butts
 - The construction specification (Green Guide rating)
 - Composting facilities
 - Details of the GWP of Insulants
 - The construction heating specification
 - The sound insulation
 - Home User Guide
 - Details of the Considerate Contractors scheme
 - Details of the ecological enhancements and protection of ecological features

The approved details shall be retained in perpetuity. *Reason: To ensure the proper planning of the area. In line with Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD*

27. The approved play area (reference 1237-905 Rev A received 21st April 2011 submitted as part of discharge of condition application 11/00190/DIS) shall be implemented and completed in accordance with the approved details prior to the occupation of the dwellinghouses on plots 30, 39-47, 101, 27-29 and 102.
Reason: To ensure adequate provision for public open space and play area within the development and in accordance with Policy Nos. HS20 and HS21 of the Adopted Chorley Borough Local Plan Review.
28. The approved Habitat Creation, Enhancement & Management Plan (undertaken by TPM Landscape dated February 2011 submitted as part of discharge of condition application 11/00190/DIS) shall be implemented in full. *Reason: To ensure that habitat connectivity is provided throughout the site and to ensure the protection and enhancement of the Biological Heritage Site. In accordance with Policy EM1 of the North West Regional Spatial Strategy.*
29. No dwelling shall be occupied until all fences and walls shown in the approved details (reference SD-24, SD-??, SD-15-W01 and SD-?? 1800 High Closeboard Fence read in conjunction with the General arrangements plan- reference 1237-903 Rev L, submitted 9th August 2011 (sheets 1-3)).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.*
30. 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 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 31, 32, 34, 35, 36, 37, 39, 40, 41, 64, 65, 66, 67, 68, 72, 73, 74, 75, 76, 80, 81, 82, 84, 85, 87, 88, 89, 91, 93, 94, 95, 96, 97, 98, 99, 100, 101, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128 and 129 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.