

**Item 4h**                      **12/01005/FULMAJ**

**Case Officer**              **Caron Taylor**

**Ward**                         **Astley and Buckshaw**

**Proposal**                    **Erection of 23 two, three and four bedroom dwellings, together with associated landscaping, pocket park and car parking at the southern commercial area, Buckshaw village (including 6 no. affordable units).**

**Location**                    **Land south west of Bishopton Crescent, and at the Junction of Buckshaw Avenue and Ordnance Road, Buckshaw Village**

**Applicant**                    **Mr Neal Dale, Eden Park Developments Ltd.**

**Consultation expiry:** **28 November 2012**

**Application expiry:** **18 January 2013**

### **Proposal**

1. Full application for the erection of 23 no. two, three and four bedroom dwellings (including 6 no. affordable dwellings), together with associated landscaping, pocket park and car parking at the southern commercial area, Buckshaw village.
2. Although Buckshaw Village benefits from outline permission (97/00509/OUT and 02/00748/OUTMAJ) for mixed use development, the reserved matters for which can be submitted until 14<sup>th</sup> August 2014, condition 19 of the 2002 permission requires development to be in compliance with a land use plan and associated schedule. The area is also the subject of a Design Code with an associated Masterplan that was required by the outline permission. This shows part of the site the subject of this application as a commercial parcel rather than residential, with the west part within the mixed use core shops and offices with residential over. As the current proposal does not comply with this as it proposes residential on a commercial parcel, the application has been submitted as a full planning application.

### **Recommendation**

3. It is recommended that this application is approved subject to conditions and a Section 106 legal agreement.

### **Main Issues**

4. The main issues for consideration in respect of this planning application are:
  - Background information
  - Principle of the development
  - Density
  - Levels
  - Impact on the neighbours
  - Design and Layout
  - Open Space
  - Trees, Landscape and Ecology
  - Flood Risk
  - Contamination and Coal Mines
  - Drainage and Sewers
  - Traffic and Transport
  - Section 106 Agreement
  - Sustainability

## **Representations**

5. No representations have been received.

## **Consultations**

### **The Environment Agency**

6. Have no objection in principle subject to conditions.

### **7. The Architectural Design and Crime Reduction Advisor**

The Design and Access Statement details some aspects of how the opportunity for crime will be designed out at the development such as defining the difference between public and private space with 1m railings at the front of dwellings. This is supported.

8. They have concerns in respect of the rear parking courts indicated in the Design and Access Statement. Rear parking courts should be avoided in developments where possible, and if necessary they should be gated to restrict unauthorised access and well lit. They do however support the visibility panels that have been incorporated into the fencing design to provide surveillance over the parking areas if there is not an alternative e.g. parking within the curtilage of the dwelling boundary.
9. They state they have concerns with some elements of the communal green space indicated in the Design and Access statement such as the location of street furniture. Public green spaces can become areas for anti-social behaviour and nuisance. Landscaping must be given careful consideration e.g. not above 1m and street furniture such as benches should be located where the opportunity for natural surveillance is maximised by passers-by and from active rooms within the dwellings and the area should be well lit.

### **10. United Utilities**

Have no objections subject to conditions.

### **11. Lancashire County Council (Highways)**

The overall number of car parking spaces is generally in accordance with the preferred car parking standards. It is however evident the applicant has proposed 2no spaces to support each dwelling with 5no spaces for visitor parking whereas each 4 bedroom dwelling should support 3no spaces. Whilst there are 4no 4 bedroom dwellings and technically there is under provision of parking to the individual dwellings, the overall provision is acceptable and they therefore accept the proposed parking arrangement in this instance as the 5no visitor spaces will accommodate the demand for additional parking and also provide for occasional parking by visitors on the site. They however, note that there is little scope for on-street parking in the area without causing nuisance or obstruction on the highway.

12. On paper the car park access and layout offers poor accessibility for waste collection and large delivery vehicles. As such the geometrical layout will require to be proved to support a 3 axle waste vehicle of 10m length; the plan drawing is only showing a small 2 axle vehicle. The existing layout is of insufficient space to accommodate turning movement by large vehicles and therefore likely to lead to vehicular conflict at the location. As such the design of the junction will be a requirement.
13. The Units have front door access onto the access/main road and this arrangement is most likely to lead to occasional and possibly even regular and long term on-street parking at the location including across the footway. The occurrence of on-street parking is already happening and is evident on other parts of Buckshaw Village (e.g. Main Street area). As such it is likely that mechanisms or measures will need to be put in place to stop the parking from happening.
14. Unfortunately with this type of planning layout with front door access and rear car parking arrangements, the Units will invariably come to rely on on-street parking for short term visitor and servicing arrangements. In this instance the site is in the commercial area of the Village and will see a significant level of pedestrian and vehicle movements.

15. Units A-05 – A-12 have direct walkways leading onto Buckshaw Ave. This is against the principle of design as part of the master planning for the Village, and there is no other separate provision for private walkways with direct links onto Buckshaw Av and Central Av which are main distributor roads with a 40mph speed limit, however they are minded not to raise any strong highway objection to the proposal in this instance.
16. **Chorley's Waste & Contaminated Land Officer**  
Have no objections to the application.
17. **Lancashire County Council (Education)**  
Based upon the latest assessment, LCC would be seeking a contribution for 8 primary school places. This would result in a claim of £95,044.
18. Failure to secure the contributions sought would mean that the County Council cannot guarantee that children living on this development would be able to access a school place within a reasonable distance from their homes.
19. LCC is unable to specify the school(s) which would have additional places provided at this stage; this is due to the statutory processes surrounding school expansion and the need for consultation.
20. This response is based on the latest information available at the time of writing. Circumstances may change over time, as other applications come forward. Consequently this response may require re-evaluation if the determination of the application is delayed significantly.
21. **Chorley Council Strategic Housing**  
As regards affordable provision on site there is a requirement for 30% which equates to 6.9 units. In accordance with the recently adopted Affordable Housing SPD we should round up this figure to 7 dwellings, split 70/30% Social rent and Intermediate sale (shared ownership) respectively.
22. In terms of house types the preference is for 2 bed houses for Social Rent and 2 and 3 bed houses for Intermediate sale i.e. shared ownership. This would equate to 5 x 2bed houses for Social rent and 2 x 2 or 3 bed houses for shared ownership. The plan attached to the Planning application shows the location of 6 x 2 bed houses (type H) as affordable units – these are acceptable although a further dwelling is needed to comply with the 30 % requirement.
23. All of the affordable dwellings should be owned and managed by an Affordable Housing Provider (Registered Provider) with stock / management preference in the area and who are members of the Select Move choice based letting scheme, such as New Progress or Adactus/CCH.

### **Applicant's Case**

24. Outline planning permission was granted in August 1999 (97/00509/OUT) and modified in 2002 (02/00748/OUTMAJ) for the redevelopment of what had been the Royal Ordnance Factory.
25. Condition 19 of the 2002 permission cross references what was described as a Land Use Plan No. 1 (CTP/MP1) and the 'associated land use schedule' on it. The condition required compliance with the schedule unless otherwise agreed in writing with the Council.
26. Subsequent applications have 'fine-tuned' the wider development. However, it is the 2002 permission which remains relevant to this application, together with the subsequent design guidance which was approved for the Southern Commercial Area of Buckshaw (June 2006). This permission allows (under condition 2) for an application for approval of reserved matters to be submitted at any time up until the 24th August 2014. Condition 2 also requires that the development carried out in pursuant of any reserved matter shall be begun within two years of the date of the approval.

27. Within the Southern Commercial Area a number of major planning applications were submitted in October 2008. These were as follows:
  - 08/01100/REMMAJ- Reserved Matters Application for the Southern Commercial Area, Buckshaw Village. This application included retail uses (including Tesco food store, residential, car parking, related infrastructure and landscaping).
  - 08/01098/REMMAJ- Reserved matters application for the erection of 84 apartments and 24 dwelling houses at the Southern Commercial Area, Buckshaw Village.
  - 08/01099/FUL- Erection of a Petrol Filling Station and associated infrastructure at the Southern Commercial Area, Buckshaw Village.
28. All these applications were considered and approved at planning committee on 13th January 2009 and the decision notices were issued on 15th January 2009.
29. The Tesco food store and the PFS were completed in October 2010. However, the economic conditions were only suitable to start the mixed use retail and apartment development in June 2012. This mixed use development will form the centre of Buckshaw Village, alongside the Tesco store. Eden Park Developments has not been able to bring forward the other elements that were granted planning permission due to the recession and economic conditions that have persisted over a number of years.
30. The site of the proposed development is identified as being partly within the Mixed use Core and within the Business (B1, B2 and B8) or Commercial Uses (A1, A2, A3, A4, A5, C1, C2, D1 and D2), within the Buckshaw Village Land Use Plan (Plan No. CTP/MP1/I Nov 06).
31. Within the Southern Commercial Area Master Plan (2006) the site is identified as being within the mixed use core area and partly within plot 4500 (a hotel/leisure use) alongside a Key Frontage which runs along the northern boundary and a Landscape Framework along the northern boundaries.
32. Planning permission was granted in March 2012 (11/01080/FULMAJ) on the remaining part of plot 4500 for a proposed warehouse, office and trade counter building and associated infrastructure. The car parking for this building and a landscape buffer will form the boundary to this proposed site.
33. The plot being considered as part of this application has no formal planning history. There has been no commercial interest for the site and instead of applying speculatively for a hotel or leisure development than may not meet an operator's requirements, a residential scheme which may have a greater chance of being implemented (and may have greater interest from developers) is considered appropriate to bring this vacant site forward. If planning permission is granted there is still an opportunity under the outline permission to apply for other commercial uses if sufficient developer interest is identified.

## **Assessment**

### Background Information

34. The site, along with the majority of Buckshaw Village was given planning permission by outline applications 97/00509/OUT and 02/00748/OUTMAJ (the latter being a modification of conditions). A reserved matter application was then approved (ref: 08/01100/REMMAJ) for Tesco and the surrounding commercial area which included the three sites that make up the current application (referred to as Plots B, C and D in this report).

### Principle of the development

35. The site, along with the majority of Buckshaw Village was given planning permission by outline applications 97/00509/OUT and 02/00748/OUTMAJ (the latter being a modification of conditions).
36. Although Buckshaw Village benefits from outline permission for mixed use development (the reserved matters for which can be submitted until 14<sup>th</sup> August 2014), condition 19 of the 2002 permission requires development to be in compliance with a land use plan and associated schedule. The area is also the subject of a Design Code with an associated Masterplan that

was required by the outline permission. This shows part of the site the subject of this application as a commercial parcel rather than residential, with the west part within the mixed use core shops and offices with residential over.

37. The site to the east of the application parcel has full planning permission for a warehouse, office and trade counter building (ref: 11/01080/FULMAJ). This site takes up 1.07 hectares covering the majority of the site that was envisaged for commercial use. It leaves a strip of land of approximately 0.35 hectares in area between this approved commercial site and the mixed use area in the Design Code that forms part of this application site. The size of the remaining strip of land is not considered a significant commercial site and since the site has had outline permission for commercial there has been a significant downturn in the economic climate. The site has been advertised for a number of years for commercial use without success. It is therefore considered that the position of the site on the Southern Commercial area close to other housing is appropriate for residential use and this along with the fact that that it will occupy a unique small remaining strip of land that has been unsuccessfully marketed for commercial use are material considerations carrying significant weight and that on balance the application is acceptable in principle.
38. The site would still benefit from outline permission for commercial use (for which reserved matters could be submitted until August 2014) if planning permission was granted on the site for housing, if a commercial developer came forward.

#### Density

39. Based upon a site area of 0.54 ha the development density will therefore be 42 dwellings per hectare which is appropriate for the location of the site.

#### Levels

40. The site has been remediated under previous permissions and is therefore relatively flat. It is therefore that the approval of finished floor levels of the dwellings can be controlled through condition.

#### Impact on the neighbours

41. All the properties, apart from Plot A-01 back onto the rear parking court so there are no interface issues to the rear. Plot A-01 is sited so it faces the access to the parking area. This results in its rear elevation facing towards the rear garden of plot A-02. There are three windows in its first floor rear elevation, two serve non-habitable windows (a dressing room and landing) so can be conditioned to be non-opening and obscure glazed. The other is a bedroom and there is only 4.8m to the boundary which is far short of the Council's 10m interface distance. Amended plans have been requested from the agent repositioning this window on the east elevation so will overlook the parking court rather than the garden of the adjacent plot. An update on this will be posted on the addendum.
42. To the south the properties will face towards the dwellings proposed on Plot D (part of application 12/01001/REMMAJ also on this agenda). There will be 12.5m between the facing windows of the properties. To the west the properties will face the Barratt properties approved under permission 12/00787/REMMAJ in November 2012. There will be approximately 13m between these properties.
43. Both these relationships are less than the Council's normal interface guideline of 21m but are considered an acceptable relationship as the character for this part of the Southern Commercial area set out in the Design Code states it is intended to default a traditional main street of a small country town. In such examples properties would be closer together to create a more intimate space and in this instance the aims of the approved Design Code are considered to carry sufficient weight to outweigh the normal interface distances used by the Council.
44. Bounding with the site to the east a warehouse, office and trade counter building has approval under permission 11/01080/FULMAJ. Two of the proposed properties and the parking area bound with this site, the nearest part of which is also a car park. The application layout also proposes to leave a buffer strip of 3m between the nearest properties and the

adjacent site to allow a landscaping strip to be implemented. This can be controlled by condition.

45. Overall the layout is considered acceptable in relation to neighbour amenity.

#### Design and Layout

46. The Design Code for the Southern Commercial Area states that the style of the buildings in the Station Road area will be eclectic from the late 19th Century to present day, with building heights of 2 to 4 storeys with residents parking to the rear in garage or parking courts.
47. The proposed housing on the parcel will all be sited on the perimeter of the site facing outwards, to continue and reflect the street fronting housing and commercial buildings on adjacent parcels which is considered the best design solution for the site. The properties are either two or two and a half storeys in height.
48. Feature properties are proposed on the two corners to the northwest and southwest of the site in the form of a pair of semis designed so they have a 45 degree arrangement and 'turn the corner'. These will be two and a half storeys high with front gables at second floor and balconies. They will reflect the house types proposed on plot C (the subject of a separate application ref: 11/01001/REMMAJ also on this agenda).
49. Parking will be to the rear of the properties in two rear parking courts broken up by a small area of open space.
50. The affordable units are to be located on the southern boundary of the parcel and will be of a design that results in them being indivisible from the market housing in design terms.
51. Each property will have a small enclosed area in front of it separating it from the immediate street by railings and a rear garden overlooking a rear car parking court. Rear gardens will be fenced, however, the fencing at the rear of the garden is proposed to be lower than normal with decorative trellis or similar above to allow natural surveillance of the car parking areas.
52. The design and layout of the properties is considered acceptable and in accordance with the approved Design Code.

#### Trees, Landscape and Ecology

53. The site has been remediated and cleared for development. There are therefore no issues in this respect. It is considered a suitable landscaping scheme can be secured by a condition.

#### Flood Risk

54. The site is not in a flood risk area as identified by the Environment Agency. A flood risk assessment was submitted as part of the outline for the site as a whole. The proposal is therefore considered acceptable in this respect subject to conditions.

#### Contamination and Coal Mines

55. The site has been remediated for development, although as is normal practice a precautionary condition will be added if unexpected contamination is discovered in the course of development. It is not within a Coal Mining Referral or Standing Advice Area.

#### Drainage and Sewers

56. Drainage and sewers have been planned for the site as a whole. The proposal is considered acceptable in relation to this subject to the conditions requested by Untied Utilities.

#### Traffic and Transport

57. This parcel does not benefit from previous permissions that can be taken into account in assessing the parking provision. The Council's parking standards require two parking spaces for two or three bed properties and three spaces for four or more bed properties. Given the house types and bedroom numbers 50 spaces are required to serve the site using these standards. The layout exceeds the Council's parking standards as it provides for 51 spaces to serve the site. Each of the properties is allocated two parking spaces with the extra parking

spaces for visitors. Although the Council would normally require four bed properties to have three spaces allocated to them, in this instance there are enough spaces overall and as the parking is provided in a parking court, the third space for the four bed properties can either be used by these properties or visitors to the site. This is considered a more efficient use of spaces that is less likely to result in on street parking as the four bed properties may not all have three cars.

58. The parking for all the properties in the form of rear parking courts as is envisaged in the Design Code for the area. The comments of the Police Liaison Officer are noted, but the layout and character of the area does not lend itself to in curtilage parking. The Liaison Officer does however support the visibility panels if rear parking courts are used and these will be conditioned to ensure they are implemented and retained.
59. Responding to the Police Liaison Officer's concerns regarding the communal green space, the proposed layout does not show street furniture such as seating or show a detailed landscaping proposal. Full details can be required to be submitted by a condition and discussed with the Liaison Officer at that time.
60. The applicant has been made aware of the issues raised by LCC Highways in relation to large vehicles and has been asked to show that it is suitable for larger vehicles. This will be reported on the addendum.

#### Section 106 Agreement

61. Although this site has outline permission it was envisaged in the land use plan as to be used for employment and there was a condition that the site be developed in accordance with this plan (condition 19 of the 2002). This application is therefore submitted as a full application rather than as a Reserved Matters application. Therefore, any necessary infrastructure contributions for housing were not sought at the time of the outline permission.

#### Affordable Housing

62. As the application is not made pursuant to an outline application which secured affordable housing provision, the site is required to provide affordable housing in accordance with the Council's Core Strategy that requires a 30% provision. This equates to 6.9 dwellings. The scheme only proposes 6 affordable units, however as the frontage of the site (the housing on the west perimeter) are within the mixed use core of the land use Masterplan (rather than the employment area) it is considered that 6 affordable units would meet the policy of the Core Strategy.

#### Open Space

63. The need for amenity open space and equipped play areas are done on a ward/parish basis whereas playing pitch provision is assessed on a Borough wide basis.
64. A small area of informal open space is proposed within the development between the two parking court areas to break up the amount of hard standing, therefore it is not considered that there is justification to require a separate commuted sum contribution towards this.
65. Buckshaw village itself will be well served by play areas either constructed or that will be constructed. As such there is not a deficit within the village so it is not considered there is justification for an equipped play space contribution.
66. However, pitches are planned on a Borough wide basis and there is a deficiency in the Borough. The payment of £868 is the Council's adopted tariff on pitches per dwelling and will be secured via a Section 106 agreement.

#### Education

67. Lancashire County Council as the Education Authority for the area has requested a contribution for 8 primary school places resulting in a claim of £95,044. They advise that failure to secure the contributions sought would mean that the County Council cannot guarantee that children living on the development would be able to access a school place within a reasonable distance from their homes.

68. The original permission for Buckshaw required the developer to provide land for a primary school and pay phased commuted sum payments, however this was not based on this land being developed for housing. It is therefore considered justified to require a commuted sum payment towards education and this will form part of a Section 106 agreement.

#### Sustainability

69. The Council's adopted Core Strategy policy requires new developments to be built to Level 4 of the Code for Sustainable Homes from January 2013, rising to Code 6 from January 2016. It also requires the carbon dioxide emissions of predicted energy use are reduced by at least 15% through additional beguiling fabric insulation measures or appropriate decentralised, renewable or low carbon energy sources. A Code for Sustainable Homes Pre-Assessment has been submitted with the application to show the development will meet Code Level 4. It is therefore considered this policy can be met by the implementation of a condition.

#### **Overall Conclusion**

70. The application is recommended for approval subject to the highways matters being satisfied. This will be reported on the addendum.

#### **Planning Policies**

##### National Planning Policies:

National Planning Policy Framework

##### Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5, TR4.

##### Joint Core Strategy

Policy 17: Design of New Buildings

#### **Planning History**

**97/00509/OUT:** Outline application for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities & rail station) & indication of junction improvements on surrounding road network. Permitted 1999.

**02/00748/OUTMAJ:** Modification of conditions on outline permission for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities, road improvements & rail station). Permitted December 2002.

#### **Recommendation: Permit (subject to Legal Agreement) 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Ref.	Title:	Received:
8430-002 P002 Rev B	Site Plan Plot A	17 October 2012
8430-002 P010 Rev B	House Type A	17 October 2012
8430-002 P011 Rev B	House Type B	17 October 2012
8430-002 P012 Rev B	House Type C	17 October 2012
8430-02 P016 Rev A	House Type H	17 October 2012
8430-002 P008 Rev A	Site Sections – Street Elevations (A)	17 October 2012
8430-002 P001 Rev C	Site Plan – Overall Sites A	17 October 2012

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) 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. GN4 of the Adopted Chorley Borough Local Plan Review.*

4. During the development, if contamination which has not previously been identified, is found to be present at the site no further development shall be carried out until a Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with. The development shall then only be carried out in accordance with the Method Statement.

*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.*

5. Before the properties hereby permitted are first occupied, the car parking areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan to serve that property. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.*

6. Notwithstanding any indication on the approved plans, no development approved by this permission shall commence until a scheme for the disposal of foul and surface waters has been submitted to and approved in writing by the Local Planning Authority. The scheme for the provision and implementation of a surface water regulation system, shall restrict surface water discharge to 5 l/s or Greenfield runoff rate equivalent to  $Q_{bar}$  whichever is the greater, unless other details are found to be satisfactory and are approved by the Local Planning Authority. For the avoidance of doubt, surface water must drain separate from the foul and no surface water will be permitted to discharge directly or indirectly into existing foul or combined sewerage systems. The development shall be completed, maintained and managed in accordance with the approved details.

*Reason: To secure proper drainage and to reduce the risk of flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review and the NPPF.*

7. 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 of the Adopted Chorley Borough Local Plan Review.*

8. 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 previously submitted plan(s). The development shall only be carried out in conformity with the approved details.

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

9. 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. It shall also include full details of the landscaping of the 'Pocket Park' shown on drawing no. P002 Rev B including any street furniture to be provided and details of the landscaping to the east boundary of the site.  
*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.*
10. 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.*
11. 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 plan(s)) 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. This shall include full details of the rear boundary fencing with the parking courts and the include details of fencing that will allows natural surveillance of the parking courts as well as rear pedestrian gates. 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.*
12. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level and achieve a 15% reduction in carbon emissions of predicted energy use (4 for all dwellings commenced from 1<sup>st</sup> January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016) as required by Policy 27 of the Core Strategy.  
*Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.*
13. No dwelling shall be occupied until a letter of assurance from an approved Code Assessor, confirming the dwelling in question has met the relevant Code Level and achieved a 15% reduction in carbon emissions of predicted energy use, has been issued to the Local Planning Authority. A Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority within 6 months of occupation of that dwelling.  
*Reason: To ensure the development is in accordance with Core Strategy Policy 27 and the NPPF*
14. Before the development hereby permitted is first occupied, provision for cycle parking provision, in accordance with details to be first agreed in writing with the Local Planning Authority, shall have been made.  
*Reason: To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.*