

Item 4c **13/00218/FUL**

Case Officer **Caron Taylor**

Ward **Lostock**

Proposal **Revision of part of existing planning approval 08/00715/FUL to include part demolition of barn and creation of three houses within remaining part, revision of house types A and C, removal of social housing and revision of the site layout.**

Location **Rectory Farm Town Road Croston LeylandPR26 9RA**

Applicant **R P Tyson Construction Ltd**

Consultation expiry: 17 April 2013

Application expiry: 9 May 2013

Members will recall this application was reported to Development Control Committee on 21st May 2013. In the addendum, a recommendation was made to defer the determination of the application until the 11th June meeting to enable the applicant sufficient time to carry out further ecological survey work and submit the results to the Council for consideration. It is anticipated that this information will be submitted to the Council sometime before 11th June Development Control Committee meeting.

It is therefore recommended that planning permission be granted for the development proposed subject to a legal agreement and the receipt of satisfactory ecological survey information and mitigation measures, if deemed necessary, which demonstrate to the Council that European protected species will not be harmed as a result of the development. The contents of the addendum presented at 21st May Development Control Committee have been incorporated into this report.

Proposal

1. Revision of part of existing planning approval 08/00715/FUL to include part demolition of barn and creation of three houses within remaining part, revision of house types A and C, removal of social housing and revision of the site layout.
2. Members will recall this application was deferred at the previous committee to allow further ecology surveys to be submitted.

Recommendation

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

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Background information
 - Viability
 - Principle of the development
 - Changes to the approved scheme
 - Impact on the neighbours
 - Design
 - Open Space
 - Ecology
 - Flood Risk
 - Traffic and Transport

- Drainage and Sewers

Representations

5. One letter of objection has been received on the following grounds:

- This development will have an adverse effect on residents that live at the end of Yarrow Close - on properties that lie within the Croston Conservation Area - adjacent to the land of the proposed development, due to reasons of increased noise and disturbance. They would be overlooked by the proposed development and in turn have a loss of privacy. They would also be overshadowed resulting in a loss of light in their lounge, bathroom and drive area;
- Unacceptably high density overdevelopment of the site, especially as the proposal is within the Conservation Area. The existing properties at the east end of Yarrow Close are all bungalows and the scale of the proposal would certainly not be in keeping with the surrounding development. The proposed development is over-bearing, out-of-scale and out of character in terms of its appearance compared with existing development in the vicinity. To emphasis this point the 3 bungalows that were built adjacent to the land are built on at least, if not more land, than all of the proposal and were built as bungalows by local builders to fit in with conservation area aspects. This proposal does not "fit in" to the conservation area;
- The development would tower over the existing properties that lie within the Croston Conservation Area at the east end of Yarrow Close;
- Visual impact of the development on the existing views across the Croston Conservation Area. The current views looking east down Yarrow Close are across open aspects to traditional building that are in scale to the land that they are on. These views are seen by all residents that drive or walk east down Yarrow Close and the loss of visual amenity from neighbouring properties would seriously and adversely affect the residential amenity of neighbouring owners;
- Partial demolition of the barn. The land of proposed development is on previously farm land and the barns are a reminder that this. This area is of considerable historic interest as a previously working farm within a central village location and as such the barns add to the character and appearance of this part of the Croston Conservation Area.

6. Croston Parish Council

Have no objections to the proposals however the extant application granted a larger area of land to the Community Centre. The Parish Council would request consideration be given to providing access for deliveries to the rear of the Community Centre and 1 no. disabled parking space also to the rear.

Consultations

7. **Lancashire County Council Ecology** have been consulted on the update survey. They advise that although information submitted with the planning application indicates that protected species may be present and may be affected by the proposed development, surveys are not yet complete and proposals for mitigation have not been submitted. Chorley Council is a competent authority for the purposes of the Conservation of Habitats and Species Regulations 2010 (as amended), and therefore needs to have regard to the requirements of the Regulations (and the Habitats Directive) in the making of this planning decision, i.e. if the proposals would result in a breach of legislation, Chorley Council would need to come to a view on the likelihood of a European protected species licence being granted (and the licensing tests being met). In this case the applicant has not carried out sufficient surveys (as recommended by two separate ecological consultants) to establish the presence or absence of bats/bat roosts or the extent to which bats might be affected. The applicant has not demonstrated that offences would be avoided or, if impacts are unavoidable, that there would be adequate mitigation to fully offset impacts. There is therefore insufficient information to enable Chorley Council to come to a view regarding potential impacts on European protected species.

8. **The Environment Agency**

Note that the proposed additional three houses [in the barn] are just outside of Flood Zone 2 and the finished floor levels will set as previously agreed. They therefore have no further comments to their previous comments dated 2008.

9. Police Architectural Liaison Officer

State they have conducted a crime and incident search of the above location and during the period 20/03/2012 to 20/03/2013, there have been reports of criminal activity in the immediate vicinity of this location including distraction burglary in a dwelling and burglary in a building other than a dwelling.

10. In order to prevent the opportunity for criminal activity they recommend the following measures be incorporated:

- That the scheme be developed to Secured by Design standards;
- The Design and Access Statement should incorporate detail as to how the opportunity for criminal activity will be designed out at the site;
- The car parking area at the end of the site that adjoins the land to be gifted to the British Legion should be afforded maximum natural surveillance from the Farmhouse and House Type B. There should be a buffer between the Legion open space and the car parking area for 8 vehicles e.g. railing or fencing arrangement;
- House Number 3 in the barn conversion directly abuts a public highway identified as pedestrian access on the plans. This area at the side of the dwelling should incorporate some defensible space e.g. low level shrubbery or 1m high fencing arrangement so as to clearly define public and private space.
- It is recommended that the gating arrangement leading to the rear of house type A and B should be brought forward so that it is flush with the front of the building line.
- Rear gardens should be protected with a secure fencing arrangement e.g. 1.8m close boarded fencing to prevent unauthorised access to the vulnerable rear of the dwellings. Access to the rear of the dwellings should be restricted with a secure gating arrangement. Fencing at the rear of houses 1 to 3 should ideally incorporate a trellis topping to allow natural surveillance over the car parking area e.g. close boarded to 1.5m with a trellis top.
- Blank elevations are indicated in some house types e.g. A. It is recommended that Blank elevations are avoided. A window in the upper floor allows the opportunity for natural surveillance across the site.
- It is recommended that the dwellings are fitted with an intruder alarm system.

11. Chorley's Conservation Officer

The application site is located at the heart of the Croston Conservation Area, a designated heritage asset. The NPPF recognises that development has the potential to cause harm to the significance of any heritage asset, designated or otherwise, and also to the setting of those assets. Whilst the site does not include any formally recognised heritage assets, designated or not, it nonetheless includes buildings of some local significance.

12. The larger barn is in what appears to be a stable but steadily deteriorating condition, whilst the smaller barn is in poor physical condition.

13. The proposal under consideration is to retain the larger, later, element of the barn building and to demolish the smaller, older, part that is in poor condition, which follows advice that they have given previously.

14. In relation to the proposed new houses, type A, B and C and the impact that this development could have on the significance of the Croston Conservation Area, it is their opinion that given the position of these units within the site their impact will be small. Furthermore the chosen design has clearly taken references from the local vernacular tradition, plus the choice of materials will match that of the Methodist Church extension. It is particularly pleasing to see the inclusion of chimney stacks within the development, again matching a feature of the vast majority of local buildings. Consequently they conclude that the proposed new housing development is acceptable.

15. The provision of parking using a variety of covered and open bays in locations peppered around the site will help to reduce the usually negative visual impact of parked vehicles both within and when viewed from outside the site from within the wider conservation area. This arrangement is considered to be acceptable. The only unanswered question is the material to be used to surface these areas. Perhaps a continuation of the permeable surfacing used adjacent to the Methodist Church would be appropriate.

16. They note that LCC Archaeology has requested that an Archaeological Record be required as a pre-commencement condition to any permission that may subsequently be granted. They agree that this should be required.

17. In summary they consider the proposed development to accord with both national and local policy guidance with respect to both the historic environment and design and consequently consider the application to be acceptable.

18. Planning Policy

Amenity greenspace

Local Plan Policy HS21 sets a standard of 0.45 hectares per 1,000 population. There is currently a deficit of provision in Croston in relation to this standard, a contribution towards new provision is therefore required from this development. The amount required is £85 per dwelling totalling £765.

19. Provision for children/young people (equipped play area)

Local Plan Policy HS21 sets a standard of 0.25 hectares per 1,000 population. There is currently a deficit of provision in Croston in relation to this standard, a contribution towards new provision is therefore required from this development. The amount required is £426 per dwelling totalling £3,834.

20. Playing Pitches

A Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from this development. The Playing Pitch Strategy includes an Action Plan which identifies sites that need improvements. The financial contribution required is £868 per dwelling totalling £7,812.

21. The total financial contribution required from this development is therefore £12,411.

22. United Utilities

Have no objection to the proposal provided that the following condition is met: -

This site must be drained on a separate system, with only foul drainage connected into the foul sewer. Surface water should discharge to the soakaway/watercourse/surface water sewer and may require the consent of the Local Authority. If surface water is allowed to be discharged to the public surface water sewerage system we may require the flow to be attenuated to a maximum discharge rate determined by United Utilities.

23. Chorley's Waste & Contaminated Land Officer

Requests an informative note is added to any permission.

24. LCC Archaeology

The 1st Edition Ordnance Survey, 1:10560 map, Lancashire Sheet 76, surveyed between 1845-46, shows the buildings of Rectory Farm, comprising a building which corresponds in plan, scale and position to the barn and a range of buildings along the Town Road frontage of the site, although these do not correspond in plan to the range which currently occupies this part of the site. This may indicate that these buildings have been replaced or extensively altered during the working life of the farm. There appears to have been a small building in the North West corner of the farm. The farmhouse is absent from this map but is on the 1st Edition 1:2500 OS (surveyed 1892-3) and therefore dates to the period 1846-93.

25. The farmstead shows an historical development therefore, with a mixture of earlier and later buildings, originating in the first half of the 19th century or earlier (a mid-18th century date is suggested for Barn A in the Structural Survey), and evidence for the extension of the early buildings and additions to the farmstead. The farmstead is therefore of some historical interest, demonstrating responses to changes in agricultural technology and economics over time.

26. Should the Local Planning Authority be minded to grant planning permission to this or any other scheme, Lancashire County Archaeology Service would recommend that an archaeological record of the buildings be made prior to conversion works commencing.
27. **Chorley's Strategic Housing**
State the policy [7 of the Core Strategy] requests 35% affordable homes on rural sites of 5 dwellings or more unless the developer can prove that to provide the affordable element would render the scheme not viable, they would expect this revised scheme of 6 residential units to contain 2 affordable homes.
28. They understand that the previous proposal on this site was for the developer to provide 2 affordable homes for shared ownership - 1 x 2bed house and 1 x 4bed house and this would be the minimum they would expect, unless viability issues are proven.
29. **LCC Education**
No response received.
30. **Chorley's Building Control**
Confirm that they can see no justification for the barn to be retained based on the Structural Survey submitted.

Assessment

Background Information

31. In 2007 Committee granted planning permission (ref: 06/01341/FULMAJ) for the redevelopment of Rectory Farm creating 5 no. four bedroom dwellings and 1 no. two bedroom dwelling, conversion of the existing barn to create 3 no. three bedroom apartments with associated garage space and visitor parking. It also permitted the erection of an extension to Croston Trinity Methodist Church to create Sunday school/community facilities with associated car parking. There were a number of pre-commencement conditions attached to the permission that were required to be discharged prior to the commencement of the development.
32. In 2008 permission was granted (ref: 08/00715/FUL) to vary the conditions on the above planning permission to allow the Methodist Church extension and parking to be commenced before the housing development and barn conversion, including the creation of the access onto Westhead Road.
33. The Methodist Church extension, access and car parking have all been built resulting in the 2008 permission for the housing remaining extant (i.e. it could still be built), subject to the conditions being discharged.
34. For information, the former farmhouse on site will be brought back into use as part of the scheme, but it is not considered that the residential use of this has been abandoned in planning terms and therefore this does not require planning permission. The farmhouse and its garden are not therefore within the site area of this application.

Principle of the development

35. The principle of housing on the site and the conversion of the barn have already been established by the earlier permissions. The issue is therefore the proposed changes to the scheme.

Viability

36. The viability assessment submitted with the application was sent to the Council's property service provider. They state the figures for revenue, costs, land price and profit etc. appear usual. Because there are relatively proportionate higher costs for carparking, garages, refurbishing barn units and farmhouse, the appraisal would be too cost sensitive for any further costs for low cost housing. The revenue is reasonably comparable but in light of a difficult market and small scheme, not easy to price any higher. The developer is proposing to meet the policy requirement of Level 4 of the Code for Sustainable Homes and 15% carbon reduction as well as a public open space requirement.

37. The viability appraisal and therefore the loss of affordable units on the site is therefore accepted.

Changes to Approved Scheme

38. The current application proposes a number of changes from the extant permission granted in 2008:

- Part demolition of barn and creation of three houses within remaining part;
- Revision of house types A and C;
- Revision of the site layout.
- Removal of the previous approved social housing;

39. Part demolition of barn and creation of three houses within remaining part

The existing barn on site has two distinct parts, the larger element with its gable end facing Westhead (referred to as Barn B in the Structural Report accompanying the application) and the smaller but older element attached to the southeast corner of Barn B (known as Barn A). The 2008 permission proposed to convert the whole of the barn to 3 no. three bedroom apartments. The current proposal proposes to demolish Barn A and retain only Barn B to be converted into three town houses.

40. The Structural Report submitted with the application recommends the demolition of Barn A. The Council's Conservation Officer advises that the larger barn (B) is in what appears to be a stable but steadily deteriorating condition, whilst the smaller barn is in poor physical condition. He advises that retaining the larger, later, element of the barn building and demolishing the smaller, older, part that is in poor condition follows advice that he has given previously - it involves the introduction of the minimum number of new openings needed to create usable living spaces whilst at the same time retaining the essential character of the building. In providing a sustainable long term use for the building its future will be secure.

41. Barn B to be retained is the most visible element of the site in Croston Conservation Area prominent particularly from Westhead Road. Barn A is visible from Westhead Road and Town Road over the former brick animal stalls on the site. Although the loss of Barn A is regrettable its poor structural condition has been properly confirmed and the retention and conversion of Barn B is to be welcomed. It should be noted that the Structural Report states that an early decision needs to be made before the condition of building Barn B also deteriorates to the point of being impossible to retrieve. The conversion of Barn A is to be welcomed as retaining a building that makes a positive contribution to the Conservation Area.

42. Revision of house types A and C

House type A was previously approved as a pair of semi-detached houses that were allocated as the affordable units on the site (1 no. two bed and 1 no. four bed). The current proposal removes the affordable units from the site and therefore these are now proposed as 2 no. four bed properties. The design of the proposed properties are now the same as the semi-detached properties on the adjacent plot (house type B) but are handed (a mirror image).

43. House type C will remain as per the previously approved plans except some of the window positions have changed. The rear windows in the property nearest to Town Road will be moved so they are in the east gable facing Town Road and has resulted from the change to the site layout discussed below.

44. The changes to the two house types are considered acceptable in design terms.

45. Revision of the site layout

The proposed changes to the house types and demolition of Barn A have resulted in amendments to the overall layout of the previously approved scheme. As the pair of semi's that make up house type A are larger than previously approved it will result in house type B being further south on the site. This is considered acceptable.

46. The conversion of Barn B to 3 no. town houses rather than 3 apartments will result in the creation of domestic curtilages to the north and west of the barn. In this case this is considered acceptable as the garden areas for the properties in the barn will not be readily visible from

outside the site as they will be screened by the surrounding development and the existing brick wall to Westhead Road. The garden to town house number one in the barn will be large and will wrap around the side of the building and Westhead Road frontage maintaining the openness from the most visible vantage points.

47. The Council's Conservation Officer advises whilst under normal circumstances the creation of such areas within the setting a traditional farmstead would not be considered favourably, in this case he considers the fact they will be largely screened from view by the site boundary wall means that such delineation is acceptable.
48. Another revision is the position of house type C which is now located closer to Town Road and a change to the garden size of the proposed property nearest Town Road. This has been amended to include more of the existing garden of the farmhouse to give it more side garden as the Diocese have sold land to no. 20 Town Road since the previous application was approved in 2008 (who have built a detached outbuilding on the land). This is considered acceptable.
49. To the south of the site there is now more room for car parking for the proposed properties. As part of the original application there was a legal agreement requiring land to the west of the site to be gifted to the Methodist Church (for the now complete extension and car park) and land to the south to be gifted to Croston Community Centre. The Community Centre have confirmed that they have been gifted the land although it is a smaller area than originally envisaged (see other issue section). On the previous approval 5 no. dual pitch garages were to be provided in this part of the site. This is now proposed as 10 no. parking spaces. Views of this part of the site are limited and therefore parking spaces rather than garages are considered acceptable.
50. Along the boundary with Town Road the previous application proposed to demolish part of the former brick animal stalls with slate roof and convert the remaining to 3 no. garages. The current scheme proposes to retain all the stalls as 6 no. covered parking spaces. This is seen as a better solution than the previously approved scheme as it will retain the covered stalls which from the boundary with Town Road and are visually important in the Conservation Area.
51. The changes to the layout will also allow an increase in the number of parking spaces previously approved opposite house types A and B from 6 no. to 9 no. of spaces.
52. Overall, the changes are considered acceptable.
53. Removal of social housing
The original approval secured 2 no. affordable houses. Since the previous application was approved there has been a change in policy as the Core Strategy has been adopted. Policy 7 of this document requires 30% affordable housing contribution in urban areas and 35% in rural areas in or adjoining villages which have a suitable range of services, however this is subject to considerations including financial viability.
54. The current proposal proposes to delete the two originally proposed affordable houses from the scheme and replace them with 2 no. market houses. A viability appraisal has been submitted with the application.
55. It has been established on other sites within the Borough that the financial viability of the site is a material consideration and a reduced percentage of affordable units have been accepted where supported from a financial viability perspective.
56. The viability assessment submitted with the application was sent to the Council's property service provider. They state the figures for revenue, costs, land price and profit etc. appear usual. Because there are relatively proportionate higher costs for carparking, garages, refurbishing barn units and farmhouse, the appraisal would be too cost sensitive for any further costs for low cost housing. The revenue is reasonably comparable but in light of a difficult market and small scheme, not easy to price any higher. The developer is proposing to meet the policy requirement of Level 4 of the Code for Sustainable Homes and 15% carbon reduction as well as a public open space requirement.

57. The viability appraisal and therefore the loss of affordable units on the site is therefore accepted.
58. It must also be considered that although the scheme will not provide affordable housing in the village it will secure the future of Barn B which is in a prominent location and makes a positive contribution to the conservation area. The Structural Survey notes that an early decision is needed made before the condition of building Barn B deteriorates to the point of being impossible to retrieve. The loss of the barn would have a negative impact on Croston Conservation area and its retention in the current scheme is a material consideration that is given significant weight.

Impact on the neighbours

59. It is not considered that the changes to the scheme will have a detrimental impact on the surrounding properties. There will be at least 10m to the boundary with 31 Yarrow Close the nearest property to the west.
60. To the south of the site is the side of no. 20 Town Road. This has a large outbuilding adjoining the site boundary. The only habitable room windows at first floor in house type C serve a bedroom. There will be over 10m from the window in the gable end to the boundary with no. 20 Town Road. The other window will have only 2.2m to the boundary with this property (due to the land gifted to this property by the Diocese which previously formed part of the application site). However, the 10m guideline from this window extends onto the roof of a large outbuilding erected on the gifted land. For this reason the relationship is considered acceptable.
61. To the east are the properties on the other side of Town Road. House type C has main windows in its side elevation but there will be approximately 23m between these windows and those in the front elevation of the properties on Town Road which exceeds the Council's interface guidelines.
62. In the north elevation of the barn at first floor level will be the existing bull's eye that will serve as a window to a bedroom. This is as per the previously approved scheme and there will be 21m to the boundary with the alms-houses, which exceeds the interface guideline of 10m.
63. As originally submitted house types A and B had a main first floor window serving a bedroom in the facing gable end elevations with only 2m between them that would be contrary to policy. This has been amended during the course of the application so these windows are now on the rear elevation (they meet the interface requirement to the rear boundary).

Design

64. The proposed conversion of the remaining barn to form three houses follows advice previously given by the Council. The Conservation Officer advises it involves the introduction of the minimum number of new openings needed to create usable living spaces whilst at the same time retaining the essential character of the building. In providing a sustainable long term use for the building its future will be secure. The proposal for the conversion of this barn and its design is therefore considered to be acceptable.
65. The comments of the neighbour are noted, however it is not considered the proposal is overdevelopment as the density of the proposal is in line with the older parts of the village. The existing properties on Yarrow Close could be said to be out of keeping in terms of their low density. The density of the proposed development has also been established by the previous permission, and it is not considered the changes to the current proposal impact on this. The density is considered acceptable in relation to Policy 5 of the Core Strategy.
66. It is considered most of the points raised by the Police Architectural Liaison Officer can be controlled through a condition relating to boundary treatment details. The other comments are noted (regarding blank elevations and that the barn abuts a highway), but these aspects have been approved previously under the previous scheme and it is not considered it could be justified for them to be changed under the current application. The Council cannot require the scheme to be constructed to Secured by Design standard or for intruder alarms to be fitted.

67. The applicant has confirmed that the development will be constructed of the same brick as that used to build the extension to Croston Methodist Church. The access into the site will be TarmacDry Porous Asphalt and the parking bays will be Piora Permeable paving also to match the Methodist Church Car Park. These are both considered acceptable.

Open Space

68. The original application secured a payment of £21,591 for amenity green space, equipped play areas and playing pitches. Since this time an updated evidence base has been undertaken. This now requires a financial contribution of £12,411 from the development. The applicant is aware of this and this will need to be secured via a supplemental legal agreement to the original one for the site.

Ecology

69. As Members will be aware, and in light of the comments from LCC (Ecology), the application was deferred at 21st May Development Control Committee to allow further ecological survey work to be undertaken and any mitigation measures put forward, if deemed to be necessary. This was on the basis that the updated ecological survey did not provide sufficient information for the Council to be able to assess whether or not the development would result in harm to European protected species.

70. As already stated, the applicant advises this further information will be submitted to the Council sometime before the next Development Control Committee meeting on 11th June hence the issue of ecological impacts will be fully reported to Members in the addendum.

Flood Risk

71. Part of the site is within a flood zone as identified by the Environment Agency (EA), however a Flood Risk Assessment was carried out for the previous application at the site to the satisfaction of the EA and a condition controlling the site being developed in accordance with this applied to the permission. The EA have no comments to make on this application beyond those they made last time. Subject to a condition requiring this application to be built in accordance with this (notably the finished floor levels) the proposal is considered acceptable in this respect.

Traffic and Transport

72. The access to the site is already in place, having been constructed as part of the Methodist Church extension and car park, and has been considered as part of the previous application to be acceptable for the number of dwellings now proposed.

73. The parking for the proposed properties complies with the Council's parking standards, which require 24 spaces to be provided based on the number of bedrooms provided. The layout provides for 24 spaces and 1 disabled space. 6 of the spaces are to be provided in the former covered animal stalls. These will not have doors on them but be left open. This is considered favourably as it is more likely they will be used on a day-to-day basis as parking spaces rather than if they were garages. A condition is proposed preventing the addition of garage doors to these spaces to ensure they are readily available for easy access parking, as there is limited alternative parking on the site and the Council would not want to encourage parking on Westhead Road. Subject to the condition the parking is considered acceptable at the site.

Other Issues

74. The land gifted to the Community Centre has changed in shape from the previous application, however the Council has confirmed with that the Trust of the Community Centre have signed a legal document relating to amount of gifted land as shown in the application.

75. Lancashire County Council as the Education Authority has been consulted on the application but no response has been received. They did not respond to the consultation to the original application in 2006. The previous application permitted 9 no. properties on the site with a total of 31 bedrooms. The current application also proposes no. properties on the site with a total of 29 bedrooms. Given that the original permission could still be constructed as it has already

been implemented and no consultation response has been received from LCC Education it is not considered the Council could require a contribution towards school places.

76. The Parish Council have requested consideration be given to providing access for deliveries to the rear of the Community Centre and 1 no. disabled parking space also to the rear. The scheme does not allow for this and access would result in fewer parking spaces being provided for the houses that it is not considered this would be acceptable.

Drainage and Sewers

77. It is considered that acceptable foul and surface water drainage can be secured at the site and conditions are proposed in relation to this.

Section 106 Agreement

78. There was a legal agreement related to previous applications at the site. This secured affordable housing, the gifting of the two pieces of land and a commuted sum towards public open space. As the affordable housing is no longer proposed and the land gifts have been completed, the only matter still required via a legal agreement is the change to the public open space financial contribution. The application is therefore recommended subject to this being signed.

Sustainable Resources

79. Policy 27 of the Core Strategy requires new dwellings to be built to Level 4 of the Code for Sustainable Homes and schemes of 5 dwellings or more to reduce the carbon emissions of predicted energy use by at least 15% by either additional building fabric insulation measures or by the installation of appropriate decentralised, renewable or low carbon energy sources.

80. The agent advises that the applicant accepts the requirements of Policy 27 of the Core Strategy which requires new dwellings to be built to Level 4 of the Code for Sustainable Homes and schemes of 5 dwellings or more to reduce the carbon emissions of predicted energy use by at least 15% by either additional building fabric insulation measures or by the installation of appropriate decentralised, renewable or low carbon energy sources. Conditions are proposed to control this. The conditions set out in the addendum to the 21st May Development Control meeting have been incorporated into the main list of recommended conditions.

Overall Conclusion

81. Subject to ecology issues being satisfied the application is recommended for approval subject to a legal agreement.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN4, HS4, TR4

Joint Core Strategy

Policies 5, 7, 17 and 27

Planning History

06/01341/FULMAJ Proposed redevelopment of Rectory Farm creating 5 No. four bedroom dwellings and 1 No. two bedroom dwelling, conversion of existing barn to create 3 No. three bedroom apartments with associated garage space and visitor parking. Also, erection of rear extension to Croston Trinity Methodist Church to create Sunday school/community facilities with associated car parking. Approved May 2007.

08/00715/FUL Application to vary the conditions on planning permission 06/01341/FULMAJ (Rectory Farm Development) to allow the Methodist Sunday School extension to be commenced before the housing development and barn conversion (to include the creation of the access onto Westhead Road, temporary access road and creation of Methodist Church car park). Approved December 2008.

**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 not 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 and HT7 of the Adopted Chorley Borough Local Plan Review.*
3. 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 or the completion of the housing development (defined as the development within the land edged purple on Drawing No. 1630/01/02 Rev E, stamp dated 9th December 2008), 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 and HT7 of the Adopted Chorley Borough Local Plan Review.*
4. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan ref 2882.01 Rev C. *Reason: To protect the development from flooding and in accordance with the National Planning Policy Framework.*
5. Before the housing development hereby permitted commences, full details of the treatment of all the proposed windows and doors shall have been submitted to and been approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The submitted details shall include the proposed method of construction, the materials to be used, fixing details (including cross sections) and their external finish including any surrounds, cills or lintels. The development shall only be carried out in accordance with the approved details. *Reason: In the interests of the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*
6. Before the development hereby permitted commences, full details of the proposed rainwater goods, including the eaves detail, to be used on the buildings shall have been submitted to and been approved in writing by the Local Planning Authority. *Reason: In the interests of the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*
7. Notwithstanding the details already submitted, this consent relates to the use of 'flush' fitting roof lights. These shall only be in accordance with details to be first submitted to and approved in writing by the Local Planning Authority. The details shall include the model/make, exact dimensions and the fixing detail (including a cross section) of the roof light(s) to be used. *Reason: To protect the character and appearance of the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*
8. The development hereby permitted shall be carried out using the hard ground- surfacing materials as detailed on drawing reference number 2882.01 Rev C (Proposed Site Layout). *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 HT7 of the Adopted Chorley Borough Local Plan Review.*

9. The fences and walls to the development shall be carried out in accordance with drawing ref: 2882/13 (Proposed Garage Details & Boundary Fence & Wall Details). No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times. *Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and HT7 of the Adopted Chorley Borough Local Plan Review.*

10. Before the development hereby permitted commences the applicant, or their agent or successors in title, have secured the implementation of a programme of building recording and analysis, unless otherwise agreed in writing with the Local Planning Authority. This must be carried out by a professionally qualified archaeological/building recording consultant or organisation in accordance with a written scheme of investigation which shall first have been submitted to and agreed in writing by the Local Planning Authority. Upon completion of the programme of building recording and analysis it shall be submitted to the Local Planning Authority. *Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historic importance associated with the building and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*

11. Notwithstanding the provision of the Town and County Planning (General Permitted Development) Order 1995 (as amended) or any subsequent re-enactment thereof, no garage doors shall be added to the covered parking spaces hereby permitted. *Reason: To ensure residents of the dwelling have easy access to parking and to discourage parking elsewhere on the site in non-designated spaces, in order to safeguard the residential amenity and character of the area and in accordance with Policy Nos. HS4 and HT7 of the Adopted Chorley Borough Local Plan Review.*

12. The covered parking spaces 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.*

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) or any subsequent re-enactment thereof, no extension to the dwelling, outbuilding, or other works permitted by Schedule 2, Part 1, Class A, B, C, D, E, F and G shall be constructed or erected without express planning permission first being obtained (other than those expressly authorised by this permission). *Reason: To protect the appearance of the locality and in accordance with Policy No. HS7 of the Adopted Chorley Borough Local Plan Review.*

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A and Schedule 2, Part 2, Class C) or any Order revoking and re-enacting the Order, no external wall(s) of the building(s) to which this permission relates shall be painted, rendered or otherwise surface treated (other than as may expressly be authorised by this permission). *Reason: To protect the character and appearance of the locality and in accordance with Policy No. HT7 of the Adopted Chorley Borough Local Plan Review.*

15. Before the development hereby permitted commences, a scheme for the provision and implementation of a surface water regulation system shall be submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented. *Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.*

16. 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 No. EP17 of the Adopted Chorley Borough Local Plan Review.*

17. The development hereby permitted shall be undertaken in strict accordance with the flood risk mitigation recommendations as identified in the Flood Risk Assessment (FRA) prepared by Hamilton Technical Services (dated August 2006) submitted with the application. *Reason: To ensure that the development will not be at an unacceptable risk of flooding.*

18. Prior to the first occupation of any of the approved dwellings a 2.0m footway to adoptable standard shall be provided across the full frontage of the site to Westhead Road. The footway shall be constructed to the Lancashire County Council 'Specification for Construction of Estate Roads'. *Reason: To secure adequate vision from the site access and in the interest of pedestrian safety.*

19. Before the development hereby permitted is first occupied, the access road shall be implemented to the standard as shown on the approved site layout. This shall include any approved ancillary development (such as walling and pavement). *Reason: To ensure that satisfactory access is provided to the housing development before it becomes operative and in accordance with Policy 17 of the Core Strategy.*

20. The car parking spaces and manoeuvring areas hereby approved shall be provided and marked out in accordance with the approved plan, before the dwellings within this area are occupied. The car parking spaces and vehicle manoeuvring area shall not thereafter be used for any purposes other than the parking and manoeuvring of vehicles. *Reason: To allow for the effective use of the parking area and in accordance with TR4 of the Adopted Chorley Borough Local Plan Review.*

21. The new dwellings hereby permitted shall be constructed of Furness Brick Old Chapel Blend brick. The development hereby permitted shall not commence until samples of all other (excluding the above bricks) external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) 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 HT7 of the Adopted Chorley Borough Local Plan Review.*

22. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the south elevation of the house type C dwellings hereby permitted. *Reason: To protect the amenities and privacy of the adjoining property and in accordance with Policy 17 of the Core Strategy.*

23. No works of tree felling, hedgerow clearance or demolition shall take place between from the beginning of March to the end of August unless the absence of nesting birds has been confirmed by surveys that have been submitted to and approved in writing by the Local Planning Authority. *Reason: To protect protected species and in accordance with the National Planning Policy Framework.*

24. The hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Received date
Site Location Plan	2882/LP1	6 th March 2013
Proposed Site Layout	2882.01 Rev C	15 th April 2013
House Type A – Plans & Elevations as Proposed	2882.08 Rev A	15 th April 2013
House Type B – Plans & Elevations as Proposed	2882.09 Rev A	15 th April 2013
House Type C – Plans & Elevations as Proposed	2882.10 Rev A	15 th April 2013
Proposed Barn Conversion Ground & First Floor Plans	2882.02 Rev L	6 th March 2013
Proposed Barn Conversion	2882.04 Rev K	6 th March 2013

Elevations		
Proposed Garage Details & Boundary Fence & Wall Details	2882/13	6 th March 2013
Fred Tandy Structural Report	Ref: 1106	6 th March 2013
Hamilton Technical Services Flood Risk Assessment	N/A	6 th March 2013

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

25. The development hereby permitted shall be constructed in accordance with the Fred Tandy Structural Report (ref: 1106) received 6th March 2013. *Reason: Permission has been granted for conversion of Barn B and to ensure that only rebuilding works necessary to this building are undertaken and in accordance with the National Planning Policy Framework.*

26. All dwellings commenced after 1st January 2013 will be required to meet Code Level 4 of the Code for Sustainable Homes and all dwellings commenced after 1st January 2016 will be required to meet Code Level 6 of the Code for Sustainable Homes. Within 6 months of occupation of each dwelling a Final Certificate, certifying that the relevant Code for Sustainable Homes Level for that dwelling has been achieved, shall be submitted to the Local Planning Authority. *Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Core Strategy.*

27. Prior to the commencement of the development a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level. *Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Core Strategy.*

28. No dwelling shall be occupied until a letter of assurance; detailing how that plot has met the necessary Code Level has been issued by a Code for Sustainable Homes Assessor and approved in writing by the Local Planning Authority. *Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Core Strategy.*

29. Prior to the commencement of [*the development/ each phase or sub-phase of the development*] a Carbon Reduction Statement shall be submitted to and approved in writing by the Local Planning Authority. The Statement shall demonstrate that either appropriate decentralised, renewable or low carbon energy sources will be installed and implemented to reduce the carbon dioxide emissions of the development by at least 15% or additional building fabric insulation measures are installed beyond what is required to achieve the relevant [*Code Level/BREEAM*] rating. *Reason: In the interests of minimising the environmental impact of the development and in accordance with Policy 27 of the Core Strategy.*