

Item 4b **13/00560/FULMAJ**

Case Officer **Nicola Hopkins**

Ward **Coppull**

Proposal **Erection of 117 residential dwellings, car parking, access arrangements, public open space, landscaping, a pumping station, associated works and infrastructure**

Location **Former Discover Leisure Site (Dave Barron Caravans) Chapel Lane Coppull Chorley**

Applicant **Seddon Homes Ltd**

Consultation expiry: **29 July 2013**

Application expiry: **18 September 2013**

Proposal

1. The proposal relates to the erection of 117 residential dwellings, car parking, access arrangements, public open space, landscaping, a pumping station, associated works and infrastructure at the former Discover Leisure/ Dave Barrons Caravan Site, Coppull

Recommendation

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

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Housing Supply
 - Loss of employment land
 - Affordable Housing
 - Density
 - Housing Layout
 - Levels and relationship with neighbours
 - Open Space
 - Trees and Landscape
 - Ecology
 - Flood Risk
 - Drainage and Sewers
 - Traffic and Transport
 - Public Right of Way
 - Sustainability
 - S106 Agreement
 - CIL
 - Noise and relationship with railway

Representations

4. **3 letters of objection** have been received raising the following comments:
 - Impact on noise, pollution and the safety of road users.
 - Double yellow lines on Chapel Lane and Lancaster street are needed
 - They have not included adequate recreational areas.
 - The area at Poplar Drive, and indeed public footpaths and grass verges around this area, is now used by many people walking dogs who do not live on the poplar estate and dog fouling is a concern constantly.
 - How many parents would be happy for their child to cross that railway bridge to get to a play area?
 - There have already been adverse impacts during the demolition works
 - The dwellings should be in keeping with other properties in the area and set back from the road like the Poplars
 - What surface will the POS have- who will be responsible for maintaining it?
 - How will the open space area be fenced etc. to ensure children's safety and stop damage to cars
 - How will the drainage/ flooding issues be addressed?
5. **Coppull Parish Council** have no objections but have requested the inclusion of a mini-roundabout to ease the traffic situation on Chapel Lane.
6. **4 letters** have been received raising the following comments/ concerns:
 - Concerned over the parking at Site 24, it does show parking to the rear of the property but as there is a footpath access to the front of the property from Chapel Lane
 - Concerned over parking on Chapel Lane.
 - Impact on primary and secondary education provision
 - Impact on Doctors services
 - Drainage along Chapel Lane and flooding issues
 - Too many semi-detached properties proposed- already sufficient numbers within Coppull
 - The increased traffic along Chapel Lane
 - Welcome the return to use of the site
 - The dwellings should have a slab height to be equal or lower to the existing dwellings on Poplar.
 - The existing sewers cannot cope with the additional rain water runoff from 117 properties.
 - Will the pumping station be well insulated from a sound perspective?
 - The fencing and landscaped bund along the railway line should be made a priority.
 - The affordable element should be by purchase (with a funded equity loan from the council) rather than rented. It should also be for people who live and / or work in Coppull.
 - Seddons should also make an effort to employ people from the locality during the construction of the homes.
 - Traffic calming measures on that area of Chapel Lane are needed.
 - To encourage less people to use cars the bus service along Chapel Lane needs improving it only stops about twice a day currently.

Consultations

7. **Lancashire County Council (Ecology)** consider that the site has limited biodiversity value and as such is satisfied that the impacts can be addressed by condition.

8. **Lancashire County Council (Public Rights of Way Officer)** has commented on the adjacent public footpath.
9. **The Environment Agency** originally objected to the scheme due to an insufficient Flood Risk Assessment however following further consultation with the applicant's consultants the Environment Agency withdrew their objection subject to various conditions.
10. **Chorley's Economic Development Section** object to the proposals on the grounds that an employment re-use of this site has the potential to create up to 500 jobs.
11. **United Utilities** have no objections to the proposals
12. **Chorley's Waste & Contaminated Land Officer** has commented that due to the large scale of development and sensitive end-use (housing with gardens), no development shall take place until contamination at the site has been dealt with. This can be addressed by condition.
13. **Lancashire County Council (Education)** have requested £273,250 for 23 primary school places.
14. **The Council Housing Manager** has commented on the affordable housing mix which is addressed below.
15. **Environmental Health (Noise)** have commented as addressed below.
16. **Network Rail** has no objection but due to the proposal being next to Network Rail land and infrastructure and to ensure that no part of the development adversely impacts the safety, operation and integrity of the operational railway conditions have been requested.

Assessment

Principle of the development

17. The site is located within Coppull which is identified with Core Strategy Policy 1 as an Urban Local Service Centre where some growth and investment will be encouraged. Within the current Local Plan part of the site is allocated under Policy EM1 and as the site was previously used for employment purposes Policy 10 of the Core Strategy, Employment Premises and Sites, is applicable. This restricts the use of the site to employment purposes unless it can be demonstrated, via the submission of marketing evidence (for a minimum 12 month period), that there is a lack of employment demand.
18. It should also be noted that this site is allocated as a mixed use housing/ employment site within the emerging Local Plan (2012-2026). Although the plan is at a very advanced stage, have been subject to examination by an Inspector, the Framework only allows a degree of weight to be afforded to the policies which are non-controversial. The allocation for mixed use was challenged at the Local Plan Examination by 3 objectors. 2 objectors require the whole site for employment as they consider the site is not suitable for housing, 1 objector requires the whole site for housing. Following the Local Plan Examination, taking into account employment completions within the Borough, the employment residual requirement is now proposed as 103.15ha (Inspector Minded Main Modifications MMEC48 subject to consultation -26 August 2013).

19. The application site remains proposed as a mixed use site for employment and housing within the Inspector Minded Main Modifications version of the plan and it is considered that this allocation can be afforded significant weight within the consideration of the current proposals. The proposals would involve the redevelopment of an employment site allocated under Policy EP1 within the emerging local plan. The preamble to the policy states that the sites allocated in Policy EP1 assists in catering for the employment needs of businesses and will improve skill opportunities within the borough. It is important to protect all new allocations for employment and therefore all allocated sites are also covered by the criteria (a) to (h) of Core Strategy Policy 10, this is addressed below.

Housing Supply

20. In accordance with paragraph 47 of the Framework, Chorley Council has a deliverable five year housing supply including the additional buffer of 5%. The most recent five year supply information for the Borough is found in the Five Year Housing Supply Statement for Chorley published in May 2012. The Five Year Housing Supply Statement indicates a 5.89 year deliverable supply for the five year period 1st April 2012 – 31st March 2017.
21. In addition to the sites identified in the deliverable five year housing supply, a large number of further dwellings have planning permission and the recently published Housing Land Supply figures confirm that 638 dwellings were delivered within the Borough in 2012/13. As such it is considered that there is therefore more than sufficient overall supply to ensure choice and competition in the market for land in accordance with the Framework.
22. In the September 2012 Lucas Lane, Whittle-le-Woods appeal decision relating to the development of up to 135 dwellings (application 11/00992/OUTMAJ) the inspector agreed that Chorley Council had a 5 year supply plus 5%, although his reported figure was slightly lower than that reported in the Five Year Housing Supply Statement. The inspector found a 5.45 years housing supply, which he stated was a little more than the 5 years plus 5% requirement. The Council does not have a 4.9 year housing land supply as stated in the Housing Land Supply section of the Planning Statement accompanying this planning application.
23. From April 2010 (the start date of the Core Strategy housing period) to April 2012 a total of 53 dwellings have been completed in Coppull, although there have also been 24 losses, 23 of which related to the demolition of the Willows in Milton Road. House building is actively taking place in Coppull and there are other sites under construction and with permission. Therefore, there is no urgent need to release this land for housing to meet the Core Strategy growth aspirations for Coppull.

Loss of Employment Land

24. Core Strategy Policy 10 (Employment Premises and Sites) states all existing employment premises and sites last used for employment will be protected for employment use. There will be a presumption that “Best Urban” and “Good Urban” sites will be retained for B use class employment use. The site was formerly a retail caravan sales centre comprising showroom, workshop, body repair shop and offices and hardstanding for the display and sale of caravans. Previously the site was in employment use as a building production and distribution facility.
25. Policy 10 states that proposals for housing on employment sites will be considered if specific criteria are met and the site has been subject to 12 months marketing period for employment re –use.

26. The Central Lancashire Controlling the re-use of employment premises SPD (adopted October 2012) aims to guide the implementation of Core Strategy Policy 10 and ensure:
- An adequate supply of employment land in Central Lancashire to 2026 including the provision and availability of suitable locations for industrial and commercial developments and provision for a broad range of business types
 - Protect existing employment sites and premises including those last used for employment purpose) and a presumption to retain Best/Good Urban sites for B use class employment use and;
 - The maintenance /creation of employment opportunities in Central Lancashire.

27. Policy 10 has 8 specific criteria against which the proposal has been assessed. The proposal is considered to comply with all 8 criteria for the reasons explained below:

a. *there would not be an unacceptable reduction on the type, quality or quantity of employment land supply;*

The adopted Core Strategy sets the overall employment requirement for Chorley as 112 ha to 2026. The Inspector Minded Main Modification (IMMM) reduces Chorley Local Plan employment requirement by 7.5ha to reflect planning permissions to a total land supply of 103.15ha with allocations totalling 91.28ha. The applicant addresses the May 2013 Examination changes using a 5 ha per annum take up resulting in a 20 year supply. Using the amended Local Plan figures equals a 20.6 years supply.

If using the Council's assumed annual take up of 6.4ha per annum this equates to a 16.1 years supply over a remaining 13 year plan.

The proposal for additional housing on the 2ha site allocation for employment would not result in an unacceptable reduction in the type, quality or quantity of the employment land supply.

Although this site will leave Coppull without an allocated employment site, this site is not required to enable the Council to provide a reasonable provision of employment land in the Borough throughout the plan period.

b. *the provision and need for the proposed use;*

The allocation remains the only one in Coppull. It is considered that there is a considerable amount of vacant office and industrial floorspace within the Council's area.

c. *the relative suitability of the site for employment and for the alternative use;*

The site is suitable for employment and housing use as it is within a sustainable location for development. The Council assessed the overall site as within Band B. Housing on this brownfield site is also a suitable use and will deliver affordable housing, open space and landscaping and a considerable CIL charge for investment in infrastructure requirements.

d. *the location of the site and its relationship to other uses;*

The site is adjacent to existing residential and existing employment uses. The applicant states the site's proximity to residential dwellings is a major constraint to commercial operators who often require 24 hours use and HGVs.

e. *whether the ability to accommodate smaller scale requirements would be compromised;*

The applicant has indicated that under current market conditions a development based on an office park would be completely unfeasible due to a total lack of demand and the surplus of vacant commercial premises within a 10 mile radius. There are signs of demand for smaller freehold units for owner occupiers/nursery style units for new businesses or smaller enterprises.

The applicant concludes no developer would risk such a scheme on this secondary site at Coppull because it lacks profile and prominence. It is not considered that the development of the site for housing would compromise the ability of the site, if it was divided as per the emerging local plan allocation, to accommodate smaller scale employment opportunities.

f. there would be a net improvement in amenity.

The site is currently a cleared site within the settlement of Coppull it is considered that the proposed redevelopment will provide a net improvement in amenity.

g. convincing evidence of lack of demand through a rigorous and active 12 month marketing period for employment re-use and employment redevelopment;

Sanderson Weatherall's undertook a 12 month marketing campaign from Sept 2011 for sale. It is considered that Sanderson Weatherall gave wide coverage of the site during the marketing period which resulted in three interested parties.

None of the interested parties pursued this site because one considered the access roads were poor and too far from the motorway, another just required a short lease which was not a viable proposition and concern was expressed regarding the tight access and proximity to residential dwellings.

Nolan Redshaw commenced a new marketing campaign for sale or let on 20 March 2013 which follows the adopted SPD requirements including posting the details on the Evolutive system. To date over the last 4 months of marketing no interest has been shown in the site.

h. an assessment of the viability of employment development including employment re-use and employment redevelopment.

A development appraisal demonstrates employment development is unviable both on its own and when subsidised by residential development and shows a loss of £4m.

28. It is noted that the Council's Economic Development Section object to the loss of the employment land however as set out above it is considered that the applicant has fully covered the requirements of Core Strategy Policy 10 a) – h). It is considered that the site has been fully marketed in excess of 12 months in accordance with the criteria and the accompanying SPD.
29. As such in respect of employment land it is considered the proposals would not result in an unacceptable reduction in the type, quality or quantity of the employment land supply within the Borough and the proposals comply with Policy 10 of the Core Strategy.

Affordable Housing

30. The application site is located within the settlement boundary of Coppull. Policy 7 of the Core Strategy requires 30% affordable housing on site which equates to 35 affordable homes. The tenure split should be:
- 70% Social Rent- 24 units

- 30% Intermediate (Shared Ownership)- 11 units
31. The Council's Housing and Support Services Manager has requested that all the 24 social rented properties should be two bed houses and all the 11 intermediate sale / shared ownership should be 3 bed houses.
 32. The layout includes a mixture of 2, 3 and 4 bedroom properties and it is proposed that plots 14-19, 35-55 and 75-82 will be the affordable units. This mix incorporates 25 two bedroom properties and 10 three bedroom properties which is very similar to the suggested mix set out above and is considered to be suitable for this site.
 33. The affordable housing can be secured as part of the S106 Agreement for this site. All of the affordable homes will be transferred to one Affordable Housing Provider who is a member of the Select Move choice based lettings scheme e.g. Adactus HA. The affordable houses will be subject to the Council's standard eligibility criterion which seeks to secure tenants with local connections.

Density

34. The site covers 3.97 hectares which equates to a density of approximately 30 dwellings per hectare (including the landscaped earth bund along the railway boundary). Policy 5 of the Core Strategy relates to housing densities and states that the authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land.
35. It is considered that a density of 30 dwellings per hectare is appropriate for this location. The density ensures efficient use of land within a sustainable location in accordance with guidance contained within the framework.

Housing Layout

36. The proposals incorporate the erection of 117 family dwellings across the site which includes 36 two bedroom dwellings, 47 three bedroom dwellings and 34 four bedroom dwellings all of which are 2 storey.
37. The originally submitted layout did not meet the Council's spacing standards internally across the site however the plans have been amended to resolve this issue. In the instances where the spacing distances secure the minimum standard distances permitted development rights will be removed to ensure control over future extensions to protect the amenities of the existing and future residents.
38. The submitted Design and Access Statement states that private rear garden areas will be delineated by 1.5 metre high close boarded fences however this is not considered suitable to provide private gardens and as such the applicants will be advised that 1.8 metre high fences will be required.
39. A number of the proposed dwellings back onto the railway land and it is proposed to incorporate embankments into the rear garden areas to screen the railway. The sections submitted with the application demonstrate that all of the properties have between 9-10 metre long flat gardens with a retaining feature at the end of the garden. Tree planting will be included on top of the embankment with a fence at the highest point of the embankment adjacent to the railway.

40. Comments have been received that the dwellings should be in keeping with the other properties within the area and set back from the road. Although the scheme does include dwellings adjacent to Chapel Lane the scheme has been designed to retain the protected trees along Chapel Lane, to include frontage vehicular access and the amenity open space fronts Chapel Lane. This layout ensures an appropriate density for this brownfield site is secured whilst minimising the amount of built development along the main highway frontage.

Levels and relationship with neighbours

41. The immediate neighbours to the site include 190/192 Chapel Lane, 23-41 Poplar Drive and the commercial units on Chapel Lane Business Park. The proposed residential dwellings will have an immediate boundary with the existing residential dwellings and the relationships are addressed below:

Plot	Finished Floor Level	Poplar Drive	Finished Floor Level	Difference (metres)
109	77.000	23/24	76.308 (lowest)	0.69
106	76.800	27	76.003	0.8
104	76.600	29	75.664	0.936
89	75.800	34	75.593	0.21
87	75.600	36	75.774	-0.17
		Chapel Lane		
114	76.850	190	77.000	-0.15
115	76.850	192	77.000	-0.15

42. Where the difference in levels exceeds 0.5 metres, as set out above, the Council's standards spacing distances are increased as follows to reflect this land level difference:

Plot	Required length to rear boundary- 10 metres plus ** metres	Length proposed (metres)	Acceptable	Required rear window to window distances- 21 metres plus ** metres	Distance proposed (metres)	Acceptable
109	11 (plus 1m)	11	√	22 (plus 1m)	24.5	√
106	12 (plus 2m)	12	√	23 (plus 2m)	23.5	√
104	12 (plus 2m)	11.5	X	23 (plus 2m)	27	√

43. As set out above only one plot (104) did not meet the required spacing distance however this has been addressed on the amended plans. Not every relationship has been included within the above tables however the above assessment addresses the situations where the existing and proposed dwellings are closest, the other properties maintain greater spacing distances and accord with the Council's spacing standards to ensure that the amenities of the existing and future residents are maintained.
44. Plot 114 originally retained 20 metres to the rear elevation of 190 Chapel Lane as there is a window within the first floor of the rear elevation of 190 Chapel Lane 21 metres is required. This has been addressed on the amended plans and now accords with the Council's spacing standards.

Open Space

45. In accordance with Policy HS21 of the Adopted Local Plan proposals for new housing development will be required to include provision for outdoor play space. For housing

developments of less than 1 hectare a commuted sum from the development may be secured for use in the provision or improvement of open space facilities in the locality.

46. A contribution towards all 3 typologies (playing pitches, equipped play space and informal open space) is required as a result of the proposed development. As this site covers more than 1 hectare usually there would be a requirement to incorporate the equipped and informal open space on site (in accordance with the Council's Playing Pitch Strategy the preference is to improve the Borough's existing supply of pitches which in this case if off site) however in this case there is currently a surplus of amenity/casual open space and equipped play areas in Coppull. Several sites within the accessibility catchment (800m) of the site are identified as being of low quality and/or low value in the Open Space Study and as such in this case it is considered more suitable to secure an off-site contribution for equipped play space to assist in improving the improving existing provision is required. It is noted that concerns have been raised about the lack of adequate recreational facilities however the scheme as proposed in respect of open space provision is considered to be suitable for the reason set out above.
47. Concerns have been raised about children having to cross the railway bridge to get to a play area however there is the potential to improve this safe route across the railway bridge (please see below) which will provide enhanced access to the play areas. This notwithstanding however as the pedestrian route across the railway is not in the form of a level crossing this is not necessarily an unsafe route for children.
48. The amenity open space will be provided on-site and the standard is 0.45 hectares per 1,000 population, assuming 2.5 occupiers per dwelling. Based on the number of dwellings proposed this equates to 1,316sqm of amenity open space. The scheme incorporates 1,321sqm of amenity open space on site in accordance with the policy requirements. The applicants have indicated that they intend for this space to be adopted by the Council and as such the S106 agreement will incorporate a maintenance contribution.
49. As set out above concern has been raised about the location of this open space within the scheme in respect of children using this space for ball games and the potential for children and/or balls to go over onto the highway which would be a safety risk. Whilst this area won't be formally equipped for play space it can be utilised for informal play space. From a visual amenities perspective it would not be suitable to erect a high fence along the road boundary to stop children/ balls going onto the highway however the landscaping scheme does propose permanent landscaping features along the highway boundary. Although an amended landscaping scheme will be required to accommodate the Ecologists comments (please see below) the submitted scheme includes the planting of a native hedge along the highway boundary along with 8 trees, 4 Lime Trees and 4 Hornbeam, planted at between 350-425cm in height. Whilst this boundary treatment will not stop balls going into the highway it will act as a physical barrier for children running into the highway. To further enhance this boundary whilst the planting matures low level railings will be recommended to the applicants to secure a permanent physical barrier. The amended landscaping scheme will replicate the proposals for the amenity open space area.
50. It is noted that the location of this amenity open space was directed from the public consultation event where residents raised concerns with built development along the whole length of Chapel Lane and the loss of the open aspect which was enjoyed as part of the former use of the site. Taking into consideration the landscaping proposed and the fact that the location of the open space allows for an open aspect along Chapel Lane, siting

the built development back into the site, it is considered that the location of this open space respects the character of the area.

51. The amount required per dwelling for off-site provision/improvements for the other typologies is:
- Equipped play area - £426
 - Playing pitch - £868
52. This will be secured as part of the S106 Agreement.

Trees and Landscape

53. Although the site has been cleared and tree cover on site is limited there is a line of mature trees on the outside of a metal rail fence in the North East corner of the site. As such the application is supported by a Tree Survey. This survey covers the group of trees within the north east corner of the site and a Sycamore Tree in the rear garden of 190 Chapel Lane.
54. The group of trees is protected by TPO 7 (Coppull) 1997 and the Sycamore Tree is protected by TPO 4 (Coppull) 2000. All of the existing trees are proposed to be retained as part of the development and as such there will be no impact on existing trees.
55. A full landscaping scheme is proposed as part of the development although it is noted that the Ecologist has commented that an amended landscaping scheme should be provided demonstrating enhancement of biodiversity. This can be addressed by condition.

Ecology

56. The Ecologist at Lancashire County has confirmed as the site has been cleared and is mainly made up of hardstanding it has limited biodiversity value.
57. Following a supreme court ruling (Morge vs. Hampshire County Council – Supreme Court ruling Jan 2011) the Local Authority now have a responsibility to consult Natural England on proposals which may affect protected species and ask the following questions:
- Is the proposal likely to result in a breach of the Habitats Regulations?
 - If so, is Natural England likely to grant a licence?
58. It is not considered that the proposals will affect protected species.
59. The Ecologist has commented that owing to the installation of a pumping station and potential drainage network they recommend that The Environment Agency and/or the Flood Risk Management Team at Lancashire County Council be consulted. This will be addressed within the flood risk section of the report.
60. The Ecologist has confirmed that Lancashire County Council has access to records for water voles in the nearby area. Although it does not appear that there are any water bodies on site, it is not clear whether there will be any installation of pipes etc. along the water course. If any work is proposed to water courses/ within 5m of the bank of a water course a water vole survey will be required.
61. The agents for the application have confirmed that drainage will predominantly discharge to existing foul and surface water drains. However, some surface water will discharge into the brook at the western side of the northern boundary, and as such a water vole survey has been undertaken in accordance with the Ecologists advice.

62. Following receipt of this survey the Ecologist has confirmed that although it is not clear to which area of watercourse would be affected by the proposal Envirotech have undertaken a water vole assessment where no signs of water vole were recorded. On the basis of the further information submitted by Envirotech, it seems reasonably unlikely that there would be a significant impact on water voles.
63. However the Ecologist notes that as water voles have been recorded in the wider area, and there may be some opportunity for them to move into the site, it would be appropriate for the applicant to carry out a pre-works check for water vole, immediately prior to the works. This could be dealt with by an appropriately worded planning condition.
64. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
 - a. the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - b. there must be no satisfactory alternative and
 - c. favourable conservation status of the species must be maintained.
65. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.
66. As set out above the ecological impacts of the proposals have been fully considered and as such it is considered that the Council, subject to suitable conditions, has discharged its obligations in respect of the above tests.

Flood Risk

67. The Environment Agency originally raised the following comments in respect of the proposed scheme, *in the absence of an acceptable Flood Risk Assessment (FRA) we object to the grant of planning permission and recommend refusal on this basis for the following reasons. The FRA submitted with this application does not comply with the requirements set out in paragraph 9 of the Technical Guide to the National Planning Policy Framework (NPPF). The submitted FRA does not therefore, provide a suitable basis for assessment to be made of the flood risks arising from the proposed development.*
68. Following receipt of these comments the applicant's consultants have contacted the Environment Agency (EA) directly and have reached an agreement on the methodology and findings of the FRA.
69. The Environment Agency have confirmed that they have no objection in principle to the proposed development subject to the inclusion of conditions which meet the following requirements:
 - Flood Risk & Drainage
 - Land Quality

70. In respect of the comments made by the Ecologist the Environment Agencies comments will be reported on the addendum.

Drainage and Sewers

71. As set out above concerns have been raised in respect of drainage within the vicinity of the site and the capacity of the sewers. The application is supported by a drainage assessment which sets out the following considerations.
72. Foul Water Assessment: The proposals incorporate a new pump and rising main, to adoptable standards, on site is to serve 64 of the new dwellings (approximately 55%) discharging to an on-site gravity sewer connecting to the combined sewer in Chapel Lane and the remainder (approximately 45%) also connecting by gravity to the combined sewer in Chapel Lane.
73. Drainage investigations within the accompanying Flood Risk Assessment have shown some previous hardstanding drainage connected to the combined sewer, so whilst there will be an increased foul water flow compared to the previous mobile home business, the total flow to the combined sewer will now be reduced with no surface water discharging to it from the site. Therefore the drainage assessment concludes that a practical foul water gravity/pumped drainage scheme can be provided for the development.
74. Surface Water Assessment: The proposed residential development would increase the surface water run-off, compared with the existing 'brownfield' run-off. It is unlikely that infiltration will be feasible, however, without this confirmed at present, the most appropriate form of SUDS is currently considered to be storage and attenuation. The calculations have demonstrated that the use of Hydro-brake flow controls and oversized drains and manholes can provide sufficient storm water storage for the 100 year event including an allowance of 30% for climate change, in accordance with the National Planning Policy Framework.
75. The site connections to an existing watercourse and public sewers has been assessed and peak flows have been limited to 'urbanised' QBAR (i.e. taking account of the drained roof and hardstanding areas of the existing site) and maintaining the drained area to the existing sewerage connection serving currently adopted road, Chapel Way.
76. The Drainage Assessment establishes that suitable foul and surface water drainage schemes are feasible for the proposed development. No significant on-site flood risks have been identified which would adversely affect the development and subject to appropriate design, there should be no significant increase in risk of flooding off-site due to the development.
77. United Utilities have reviewed the supporting information and confirmed that they have no objections to the proposals. United Utilities consider that foul and surface water from the site should be drained in accordance with the principles outlined in the submitted Flood Risk Assessment. This can be addressed by condition and includes foul water draining separately to surface water and no surface water will be permitted to discharge directly or indirectly into the public foul or combined sewer.

Traffic and Transport

78. The scheme incorporates a mix of 2, 3 and 4 bedroom properties. The 2/3 bedroom properties require 2 off road parking spaces whilst the 4 bedroom properties require 3 off road parking spaces. The scheme incorporates a mixture of driveway and garage parking.

All of the properties incorporate sufficient off road parking apart from the proposed 4 bedroom dwellings. These properties include integral garages which do not accord with the Manual for Streets dimensions to accommodate a car and storage. In the case of these plots plans have been submitted which demonstrate that the garage accommodation is sufficient to accommodate a Ford Focus and it can be exited and accessed whilst in the garage. As such in these cases the storage provisions will be addressed via a shed within the rear gardens. This will be addressed by condition.

79. At the time of writing this report no comments had been received from the highway authority and as such these will be reported on the addendum. This notwithstanding the Council is proposing to allocate this site within the emerging local plan and as such in principle it is not considered that the proposals will adversely impact on the highway network in the area. It is noted that concerns have been raised in respect of pollution, the safety of road users and the need for double yellow lines in the area and the highway engineer will be able to comment further on these issues. These will be reported on the addendum.

Public Right of Way

80. Lancashire County Council's Rights of Way Officer has commented that the proposed development will increase the pedestrian traffic on the adjacent Public Footpath No. 30 Coppull. He considers that this public footpath should be improved by the developer by providing a firm and level tarmac surface over the length of this path from Chapel Lane to the railway line as part of the development.
81. The applicant's agents have confirmed that their client is happy to explore the possibility of funding upgrades to the footpath at the southern boundary of the site once they understand the full costs of these works. Further advice from the Rights of Way Officer has been sought in this regard and will be reported on the addendum.
82. The relationship of the application site and this footpath is a consideration and the proposals incorporate the erection of 1.8 metre high brick walls and anti-climb mesh fencing along the southern boundary. This ensures that private rear garden areas are provided where necessary but also ensures that the footpath is overlooked (by the use of mesh fencing) to ensure that this feature will be utilised once the development has been completed.

Sustainability

83. Policy 27 of the Adopted Central Lancashire Core Strategy states that all dwellings will be required to meet Level 4 of the Code for Sustainable Homes from January 2013.
84. The Policy also states that subject to other planning policies, planning permission for new built development will only be granted on proposals for 5 or more dwellings where all of the following criteria are satisfied:
- a. Evidence is set out to demonstrate that the design, orientation and layout of the building minimises energy use, maximises energy efficiency and is flexible enough to withstand climate change;
 - b. Prior to the implementation of zero carbon building through the Code for Sustainable Homes for dwellings or BREEAM for other buildings, either additional building fabric insulation measures,
or

appropriate decentralised, renewable or low carbon energy sources are installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%;

- c. Appropriate storage space is to be provided for recyclable waste materials and composting;
- d. If the proposed development lies within a nationally designated area, such as a Conservation Area or affects a Listed Building, it will be expected to satisfy the requirements of the policy through sensitive design unless it can be demonstrated that complying with the criteria in the policy, and the specific requirements applying to the Code for Sustainable Homes and BREEAM, would have an unacceptable adverse effect on the character or appearance of the historic or natural environment.

85. As the proposed development exceeds 5 dwelling units both parts of the Policy will need to be satisfied in respect of the proposals.

Section 106 Agreement

86. The requirements in respect of Policy HS21 will be secured via obligations set out within the associated S106 Agreement as follows:

- Off-site equipped play area = £49,842
- Off-site playing pitches = £101,556
- On site amenity open space (maintenance) = £50,859
- TOTAL = £202,257

87. Lancashire County Council (Education) have requested a contribution of £273,250 towards 23 primary school places. In response to this request the agents for the application have confirmed *Seddon Homes is committed to pay a CIL charge of £65 per sq m of market dwellings created following the implementation of CIL on 1 September 2013. On the basis that the application will be resolved after the CIL charge has been implemented, we do not propose to comment on whether the education contribution calculated by LCC meets the CIL tests (Regulations 2010).*

88. In response to these comments LCC Education have stated:

- This site will not provide for the sites listed in the Reg 123 list through CIL and will therefore need to be dealt with via S106.
- When assessing the impact a housing development will have upon education provision it is necessary to look five years ahead in order to assess the impact the development. The education assessment undertaken by LCC is not just about the immediate impact of the development, it is also about measuring the anticipated impact directly resulting from the development.
- After completing the education assessment the findings were that there is anticipated to be a shortfall of 16 primary school places by 2018.
- The anticipated yield from this development indicates that there will be a requirement to provide for an additional 23 primary school places by 2018.
- There is already anticipated to be a shortfall of 16 school places without the impact from this development. If the education contribution is not provided by the applicant, Lancashire County Council will not have sufficient funds available to provide the additional places required to accommodate the pupils generated by this development.
- The contribution sought is not to address any existing shortfall of places; it is purely to mitigate the impact of this development.

- Evidence undertaken by LCC has shown that the average cost of providing school places is £17,363 per place, LCC actually request £11,880.45 per place from the developer as a contribution towards the costs of providing such provision.
- LCC believe that this development will be made unsustainable if the education contribution is not provided in its entirety.

89. Although the comments of the Education Authority are noted part of this site is proposed to be allocated for housing development (59 new housing units) and as such was taken into account as part of the Council's housing land supply over the plan period which partly led the CIL charging schedule. The intention of the CIL charging is to fund infrastructure that is needed as a result of development. The Council's CIL charging schedule includes funding for education provision and as such it appears that the additional school places required to accommodate the pupils generated by this development will be funded via the CIL charge attributed to this development. However as CIL charging is very new further advice in this regard is being sought. This will be addressed on the addendum.

Community Infrastructure Levy

90. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for housing - £65 per sq m. The CIL Charging Schedule was adopted on 16 July 2013 and the charging will commence 1 September 2013. The proposed housing development will be chargeable development and this will become liable at the commencement of the development. The total residential floorspace proposed is 10,509 sqm which removing the affordable housing floorspace (2,340sqm) (the CIL regulations provide 100% relief from the levy on those parts of a chargeable development which are intended to be used as social housing on the proviso that the applicant submits an exemption claim form prior to the commencement of the development) equates to a chargeable floorspace of 8,169 sqm or £530,985.

Noise and relationship with the railway

91. The northern boundary of the site is adjacent to the railway line and dwellings are proposed adjacent to this boundary. The Council's Neighbourhood Environmental Health Officer has reviewed the submitted acoustic report and confirmed that the report is reasonably comprehensive. The Environmental Health Officer considers that if the applicant fully employs all the recommendations outlined within the report then the risk of future resident's suffering loss of amenity due to noise will be minimised.

92. Due to the proximity to the railway Network Rail were consulted. They have no objection although they have requested a number of elements to be addressed by condition which are summarised below:

Network Rail comment	Agents Response	condition (Yes/ No)
All commercial developments within 10m of the operational railway line and Network Rail land require a risk assessment and a method statement	None of the proposed residential dwellings are within 10m of Network Rail's land and therefore this request is not necessary	X
All surface water is to be directed away from the railway. Soakaways, as a means of storm/surface water disposal	The suggested condition regarding drainage is not necessary because the drainage strategy will not impact on Network Rail's land, structures or	X

must not be constructed near/within 20 metres of Network Rail's boundary or at any point which could adversely affect the stability of Network Rail's property. Full details of the drainage plans are to be submitted for approval to the Network Rail Asset Protection Engineer.	drainage. There is sufficient detail within the FRA (drawing number C16573/202) to demonstrate this.	
The Developer must provide, at their own expense, a suitable trespass proof steel palisade fence of at least 1.8m in height adjacent to Network Rail's boundary	A palisade fence already runs part way along the northern boundary of the site and Seddons' is prepared to extend it along the full length of the boundary prior to the occupation of any dwellings. This will not undermine or destabilise Network Rail's land.	√
Network Rail would request that no trees are planted next to the boundary with our land and the operational railway. The Network Rail Asset Protection Engineer must approve all landscaping plans.	The proposed trees at the boundary are positioned in suitable locations and sufficient distance from the site boundary to ensure they cannot blow / topple onto or interfere with Network Rail's land. The submitted landscaping scheme shows that the trees will be between 3.5m to 4.25m high and positioned at least 6m from the boundary thereby preventing any interference. As such, a separate landscaping scheme is not necessary.	√

93. Following receipt of these comments Network Rail have been re-consulted. Their response will be reported on the addendum.
94. Notwithstanding the agents response in respect of landscaping in proximity to the railway the landscaping scheme, required by condition, will detail that the proposed planting will not interfere with the railway land when it is planted and when it has matured.

Overall Conclusion

95. This proposed Coppull allocation within the emerging local plan is ranked in Band B (Council's Sustainability Appraisal of sites- Band A being the most sustainable and Band E the least sustainable). The site has good access to a bus service which is very frequent. Access to services and facilities is also very good with the exception of a supermarket as there is no supermarket within the settlement. The site is over 3km away from the key service centre of Chorley town centre however there are employment opportunities within Coppull.
96. The application site is located within an Urban Local Service Centre which is identified within Policy 1 of the Core Strategy as an area for some growth and investment. The framework confirms that the purpose of the planning system is to contribute to the achievement of sustainable development and it is considered that the development of this

site has the ability to meet the sustainable principles embodied in the Core Strategy. Whilst there is no need to release this site for housing in respect of the Borough's 5 year housing land supply it is noted that the five year supply is not a maximum figure and it is considered that the development of this site will secure the redevelopment of a brownfield site whilst contributing to the aims of both the framework and the Core Strategy.

Other Matters

Public Consultation

97. In accordance with the Council's Statement of Community Involvement the applicants undertook a public consultation event prior to formally submitting the application. Seddon homes undertook the following:
- Meeting with ward councillors
 - Community consultation event
98. This took place on 14 March 2013 at Coppull Village Hall and approximately 50 people attended the event. A qualitative questionnaire was circulated during the event and advertised on Seddons' website. In total 27 responses were received.
99. The main points raised by residents were that they:
- Did not want dwellings to back onto Chapel Lane;
 - Wanted to ensure that the layout would dissuade parking along Chapel Lane;
 - Did not want to see an equipped play area on-site because there is already one off Byron Crescent and they can attract anti-social behaviour;
 - Would like the provision of affordable housing to be reconsidered;
 - Wanted properties to back onto Poplar Drive for security reasons;
 - Would like to see tree lined landscaping on Chapel Lane;
 - Did not feel that it was necessary to direct resources towards improving the southern footpath as it is underused.
100. As a result of these comments the following changes to the scheme were made:
- Dwellings were taken back from Chapel Lane and the area of POS was repositioned fronting the highway;
 - A strong tree line along the eastern boundary is proposed;
 - A plentiful supply of parking is provided within the site to dissuade parking on Chapel Lane; and
 - Properties at the northern boundary back onto Poplar Drive.

Non-material planning considerations

101. Concerns have been raised about dog fouling in the area. This however it not material to the consideration of the proposals and should be addressed by reporting the issues to the Council's Environmental Health Service

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

The Chorley Local Plan Review was adopted in August 2003. It was saved in September 2007

The relevant saved Local Plan policies are:

- GN1: Settlement Policy
- GN5: Building Design & Retaining Existing Landscape Features.
- EP4- Species Protection

- EP9- Trees and Woodland
- HS4- Design and Layout of Residential Developments
- HS21- Playing Space Requirements
- EM1- Employment Land Allocations
- EM9- Redevelopment of Existing Employment Sites for Non-Employment Uses
- TR1- Major Development – Tests for Accessibility & Sustainability
- TR4- Highway Development Control Criteria
- TR18: Provision for Pedestrians and Cyclists in New Development

Central Lancashire Core Strategy (adopted July 2012)

Policies to be given weight are:

- Policy MP clarifies the operational relationship between the Core Strategy and the National Planning Policy Framework. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. Planning policies that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant planning permission unless material considerations indicate otherwise taking into account Policy MP a) and b).
- Policy 1 Locating Growth
- Policy 4 Housing Delivery
- Policy 7 Affordable Housing
- Policy 10 Employment Sites and Premises
- Policy 25 Community Facilities
- Policy 22 Biodiversity and Geodiversity
- Policy 17 Design of new buildings
- Policy 27 Sustainable Resources & New Developments

Supplementary Planning Guidance

- The Central Lancashire Supplementary Planning Document Design Guide (adopted October 2012) is relevant as it aims to encourage high quality design of places, buildings and landscapes in the Borough. This supersedes the Chorley Design Supplementary Planning Guidance (July 2004)
- Central Lancashire Affordable Housing SPD October 2012
- Central Lancashire Controlling the Re-Use of Employment Premises SPD October 2012

Emerging Local Plan

Publication Chorley Local Plan 2012 - 2026 (Submission 21 December 2012)

Relevant Policies are:

- ST3: Road Schemes and Development Access Points
- ST4: Parking Standards
- HS1.33: Housing Site Allocations
- EP1.16: Employment Site Allocations
- HS4A: Open Space Requirements in New Housing Developments
- HS4B: Playing Pitch Requirements in New Housing Developments
- BNE1: Design Criteria for New Development. Criteria a, b, c, d, f, g and h are relevant to the proposal.
- BNE9: Trees
- BNE10: Species Protection

Planning History

- 78/01234/FUL:** Proposed speculative light/general industrial development. (Use classes III and IV). Withdrawn
- 79/00879/OUT:** Outline application for speculative industrial/warehouse unit (Use Classes III, IV and X). Refused 1980
- 79/00891/FUL:** Speculative light/general industrial warehousing (Use Classes III, IV and X) plus residential use of part of site. Refused 1980
- 79/00892/OUT:** Outline application for speculative light/general industrial warehousing development (Use Classes III, IV and X). Approved 1980
- 80/00667/COU:** Change of use from garage display centre to caravan display centre. Withdrawn
- 80/01071/FUL:** Change of use of part of site to caravan sales/display with workshop, construction of new access road, erection of 8 nursery units, and future industrial/warehousing development. Approved 1981
- 81/00458/FUL:** Temporary residential caravan. Approved 1981
- 81/00459/FUL:** Retention of existing vehicular access for private cars only. Approved 1981
- 81/00844/ADV:** 2 illuminated signs (fascia box and logo box). Permitted 1981
- 81/00845/ADV:** Single sided box sign. Permitted 1981
- 81/01055/FUL:** Conversion of storage building to temporary living accommodation for Security Officer. Approved 1982
- 84/00178/ADV:** Display of inflatable Blimp sign. Refused 1984
- 86/00038/FUL:** Construction of an accessory showroom. Withdrawn
- 86/00400/FUL:** Extension to awning showroom to form small store. Approved 1986
- 89/00876/FUL:** Office Extension. Approved 1989
- 90/00943/FUL:** Extension to existing buildings to form new shop and use of existing shop as coffee lounge. Approved 1991
- 91/01093/FUL:** Erection of two-storey shop and extensions to storage area. Approved 1992
- 95/00245/TEL:** Erection of free-standing 15metres high telecom mast with 2 omni-directional antennae and 1 dish antenna, siting of equipment cabinet. 1995
- 02/00079/ADV:** Retrospective application for the display of sign. Refused 2002
- 02/01062/FUL:** Erection of outdoor sales canopy over existing concrete columns. Approved 2002
- 05/00673/FULMAJ:** Proposed extension of caravan dealership and associated parking area for staff and customers. Withdrawn
- 05/00940/FULMAJ:** Proposed extension of caravan dealership and associated parking area for staff and customers. Approved 2005
- 13/00074/DEMCON:** Application for prior determination of the proposed demolition of a number of one and two storey buildings. Permitted 2013
- 13/00109/FUL:** Retrospective application for the erection of 2.4m high hoarding to site boundary for a period of 18 months. Approved 2013

Recommendation: Permit (Subject to Legal Agreement) Conditions

- 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
- The development hereby permitted shall be carried out in accordance with the following approved plans:**

Title	Plot(s)	Drawing Reference	Received date
Site Layout		1248SHW/CLC-SL01	15 August 2013

		Rev K	
Existing and Proposed Finished Floor Levels		C16573/200 Rev A	16 August 2013
Brierfield House Type	15/ 16/ 17/ 18/ 19/ 36/ 37/ 38/ 39/ 40/ 41/ 44/ 45/ 46/ 47/ 52/ 53/ 54/ 75/ 76/ 81/ 82	1777-BRI-01	20 June 2013
Brierfield 1 House Type	14/ 35/ 55/	1777-BRI1-01	20 June 2013
Shelley House Type	42/ 49/ 50/ 51/ 77/ 80	1777-SHE-01	20 June 2013
Shelley 1 House Type	43/ 48/ 78/ 79	1777-SHE1-01	20 June 2013
Adel House Type	58/ 59/ 60/ 61/ 62/ 63/ 65/ 66/ 67/ 68/ 69/	1777-ADE-01	20 June 2013
Bowland House Type	1/ 2/ 10/ 12/ 13/ 21/ 27/ 28/ 57/ 70/ 71/ 84/ 85/ 86/ 92/	1777-BOW-01	20 June 2013
Bowland 1 House Type	11/ 20/ 29/ 56/ 83/ 93/	1777-BOW1-01	20 June 2013
Bowland 2 House Type	26	1777-BOW2-01	20 June 2013
Lawton House Type	3/ 6/ 7/ 22/ 25/ 64/ 74/ 88/ 89/ 96/ 104/ 107/ 110/ 113/ 115	1777-LAW-01	20 June 2013
Mearley House Type	30/ 91/ 117	1777-MEA-01	20 June 2013
Mearley 1 House Type	9/ 23/ 24/ 34/ 72/ 98/ 112/ 116	1777-MEA1-01	20 June 2013
Reedley House Type	4/ 5/ 31/ 33/ 90/ 94/ 101/ 103/ 105/ 108/ 111	1777-REE-01	20 June 2013
Kerridge House Type	8/ 32/ 73/ 87/ 95/ 106/ 109/ 114/ 99/ 100/ 102	1777-KER-01	20 June 2013
Access Layout		J252/Access/Fig 1	20 June 2013
Illustrative Sections Sheet 2 of 2		1248SHW/CLC-IS01 Rev A	20 June 2013
Illustrative Sections Sheet 1 of 2		1248SHW/CLC-IS01 Rev A	27 June 2013
Tree Survey		4409.01	20 June 2013
Topographical Survey		S12-033-1	20 June 2013
Single Garage	9/ 23/ 24/ 30/ 34/ 72/ 91/ 98/ 112/ 117/ 118	GAR-1.13	20 June 2013
Location Plan		1248SHW/CLC-LP01 Rev A	18 June 2013

Pumping Station Grounds/ Kiosk		1248SHW/CLC-PS01	28 June 2013
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Reason: For the avoidance of doubt and in the interests of proper planning

3. The detached and integral garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.

Reason: To ensure adequate off street parking provision is maintained and thereby avoid hazards caused by on-street parking.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (Schedule 2, Part 1, Classes A, B, C, D, E) or any subsequent re-enactment thereof no extension to the dwellings on plots 3, 5-9 (inclusive), 12, 13, 16-22 (inclusive), 26-28 (inclusive), 31-47 (inclusive), 66, 67, 71-74 (inclusive), 85-90 (inclusive), 92-109 (inclusive), 110, 111 and 113-117 (inclusive) porch, garden shed, greenhouse, garage or car port shall be erected nor any hardstanding area extended other than those expressly authorised by this permission.

Reason: In the interests of neighbour amenity and to ensure the amenities of the existing and future residents are protected in the future.

5. No dwelling on plots 3, 4, 5, 6, 7, 8, 22, 25, 30, 31, 32, 33, 64, 73, 74, 87, 88, 89, 90, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 113, 114, and 115 hereby permitted shall be occupied until garden sheds have been provided in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority. 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.

6. Prior to the commencement of the development a trespass proof steel palisade fence, of at least 1.8m in height, shall be erected along the boundary of the site adjacent to Network Rail's land. The fence shall be maintained in situ thereafter during the construction period.

Reason: Any proposed residential development imports a risk of trespass onto the railway which is a criminal offence (s55 British Transport Commission Act 1949). The fence is required to mitigate any risks imported by the proposal.

7. Prior to the occupation of the dwellings hereby approved the noise mitigation measures set out within the submitted Environmental Noise Study (ref: R0674-REP01-DRG dated 5 June 2013) (in particular tables 2 and 3 and figures 12, 13 and 14) shall be implemented in full. The mitigation measures shall thereafter be maintained in perpetuity.

Reason: To ensure the amenities of the future residents are protected in respect of the nearby noise generators.

8. Prior to the construction of the outfall on the water course (or any other works affecting a water course or land within 5m from the top of the banks of the water course) a repeat survey for water voles shall be submitted to and approved in

writing by the Local Planning Authority. If the survey identifies that water voles would be affected by the works, then the submission shall include a mitigation method statement. Thereafter the approved mitigation measures shall be implemented in full.

Reason: To ensure the continued protection of this protected species as part of the development proposals.

9. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2012 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained on and adjacent to the site as part of the development proposals

10. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

11. 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 the existing and future residents.

12. Prior to the commencement of development full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

13. Notwithstanding the submitted details a scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include 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, proposed finished levels and means of enclosure. The scheme should include a landscaping/habitat creation and management plan which should demonstrate enhancement of biodiversity and shall demonstrate that the planting adjacent to the operational railway will not interfere with Network Rails land at planting stage and when the

landscaping has had the opportunity to mature. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within 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.

Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development, to secure a high quality design and to ensure the continued protection of the adjacent operational railway land.

14. Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. The details shall also include low level railings to be erected along Chapel Lane adjacent to the area of amenity open space. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to the future and existing residents.

15. 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.

16. 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 of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.

Reason: In the interests of minimising the environmental impact of the development.

17. 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 submitted to the Local Planning Authority.

Reason: In the interests of minimising the environmental impact of the development

18. Prior to the commencement 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 rating. The approved measures shall be implemented in accordance with the approved details and retained in situ thereafter.

Reason: In the interests of minimising the environmental impact of the development

19. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Atkinson Peck dated 14 June 2013 and subject to the following requirements:

- a. surface water run-off from the site shall be attenuated up to a 1 in 100 year critical storm event (plus an allowance for climate change).

For the avoidance of doubt:

- surface water draining from parcel A which has an impermeable area of 0.63 Ha must be restricted to a maximum pass forward flow of 10.3 l/s,
- surface water draining from parcel B which has an impermeable area of 0.011 Ha must be restricted to a maximum pass forward flow of 53 l/s and
- surface water draining from parcel C which has an impermeable area of 1.01 Ha must be restricted to a maximum pass forward flow of 24.2 l/s.

(The location and size of parcels A, B & C are clearly defined on drawing C16573/201/Rev - dated April 2013 which is included in the FRA).

The development shall be completed, maintained and managed in accordance with the approved details.

Reason: To ensure the development is not at an unacceptable risk of flooding or exacerbate flood risk elsewhere.

20. Due to the large scale of development and sensitive end-use (housing with gardens), no development shall take place until:

- a. a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b. all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c. the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.

Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).

21. 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 the proper drainage of the site and to reduce the risk of flooding

22. Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.

Reason: Please note it is the applicant's responsibility to properly address any land contamination issues, to ensure the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).