

<b>Item</b>	<b>13/00715/FUL</b>
<b>Case Officer</b>	<b>Mr David Stirzaker</b>
<b>Ward</b>	<b>Clayton-le-Woods And Whittle-le-Woods</b>
<b>Proposal</b>	<b>Demolition of mill and development of 8 no. detached houses including all infrastructure.</b>
<b>Location</b>	<b>Kem Mill Kem Mill Lane Whittle-Le-Woods</b>
<b>Applicant</b>	<b>Primrose Holdings Limited</b>

**Consultation expiry: 27 September 2013**

**Application expiry: 24 October 2013**

### **Proposal**

1. This application seeks full planning permission for the erection of eight detached dwellings following the demolition of the southern part of Kem Mill. The northern part of Kem Mill is to be retained and this is presently occupied by Cheeky Monkeys play centre.
2. The application site is located at the end of Kem Mill Lane and is within the settlement of Whittle Le Woods. The site is bounded to the east and south by the River Yarrow beyond which is Whittle Le Woods cricket club and Whittle Le Woods Primary School. To the north, the site will be bounded by the part of Kem Mill which is to be retained. To the west is Kem Mill Lane which runs along the boundary of the Kem Mill.
3. The proposed development comprises eight detached two storey dwellings. The dwellings comprise four different house types, three of which have detached double garages with the other five having integral or attached double garages. The layout of the site takes the form of a cul-de-sac access from Kem Mill Lane via a new junction. The proposed site plan shows the southern part of the site as being retained possible future development associated with the cricket club.

### **Recommendation**

4. It is recommended that this application is granted conditional planning permission subject to the signing of a S106 agreement.

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Density
  - Levels
  - Affordable Housing
  - Design & Layout
  - Impact on the Neighbouring Amenity
  - Open Space
  - Trees & Landscape
  - Highway safety & parking
  - Contamination & Coal Mines
  - Drainage & Sewers
  - Section 106 & Community Infrastructure Levy (CIL)

### **Representations**

6. To date, six letters of support have been received, and one letter raising objections. The contents of these letters can be summarised as follows: -

- Primrose Holdings other developments appear to be good quality, as do their proposals for the Kem Mill site.
- The proposal appears to be a good use for the site as redeveloping the Mill would probably be uneconomic and would not be fit for purpose for the majority of uses.
- Residential use of the land is therefore far preferable to the property becoming unused and have a deteriorating condition.
- The plans are welcomed as long as the trees are retained.
- There should be included in any consent a requirement for demolition/construction traffic to use only Factory Lane for access where there are no residences and not Kem Mill Lane to minimise impact on the residents.
- The egress onto the A6 from Kem Mill Lane is difficult at the best of times and Kem Mill Lane is well used by cyclists and pedestrians accessing Cuerden Valley.
- Consideration should be given to the possible impact on school traffic at certain times of the day during this period.
- The council should see fit to adopt the private road by the factory as part of the plan and maintain it better than it is at present.
- Consideration needs to be made on the impact on parking for Cheeky Monkey's as at weekends this already spills onto the lane.
- There will be a reduction in car parking in the area.
- The site is poorly situated and it would not be appropriate to try to regenerate the site as industrial units due to the narrow roads and weak bridges limiting the size and weight of lorries accessing the site.
- The site is ideal for premium detached housing due to its proximity to the country park/cricket pitch.
- As well as the suggested one way system along Factory Lane, an alternative maybe to create a couple of double yellow line "lay-bys" so cars could pull in?
- With parking as an issue could the bollards in the space opposite, by the river, be removed?

## Consultations

7. **Clayton le Woods Parish Council** comment that that the materials should be in keeping with the area and also requested more detailed plans of the proposed development which have been provided. **Clayton Le Woods Parish Council** also felt that the unadopted road (Factory Lane/Kem Mill Lane) should be adopted and improved to deal with the traffic.
8. **United Utilities** have not raised any objections subject to a condition requiring separate foul and surface water drainage.
9. **Lancashire County Council (Highways)** do not raise any objections to the application and subject to the carriageway being widened from 4.5m to 4.8m. Conditions are also recommended requiring a construction method statement, construction of the roads to at least base course level before any development takes place and the provision of wheel wash facilities prior to commencement of development.
10. **The Council's Waste & Contaminated Land Officer** recommends a planning condition requiring a ground investigation to be undertaken and remediation measures, if deemed necessary, to be approved in writing by the Council.
11. **Lancashire County Council (Ecology)** state that clarification is needed so to whether or not the tree with bat roost potential on the site is to be retained and if it is not, a further bat assessment/survey will need to be undertaken prior to determination. If the above issue can be resolved, **LCC (Ecology)** recommend the imposition of conditions pertaining to landscaping, lighting, tree protection, eradication of Japanese Knotweed, measures to protect breeding birds and the requirement for a precautionary water vole survey if works will take place within 5m of the river bank top.
12. The **Environment Agency** do not raise any objections to the application subject to the imposition of two conditions. The first one requires the development to be carried out in accordance with the Flood Risk Assessment and the second one requires the submission of a surface water drainage strategy.

13. The **Architectural Liaison Officer** makes five recommendations to assist in preventing crime and disorder.
14. The **Canals & Rivers Trust** advise that the application falls outside of the scope for statutory consultation purposes.

## **Assessment**

### Principle of the development

15. The application site is located in the settlement of Whittle Le Woods. The site itself comprises Kem Mill, part of which is to be demolished to make way for the eight houses. The northern part is presently occupied by Cheeky Monkeys play centre and this is to be retained. The southern part of the site not being developed for housing is also to be retained and the site plan indicates this could provide future facilities for the cricket pitch, subject to negotiations.
16. In terms of the loss of part of Kem Mill, which constitutes an employment use, Policy 10 (Employment Premises & Sites) of the Central Lancashire Core Strategy and the Supplementary Planning Document on Controlling Re-Use of Employment Premises are the most pertinent. The specific requirements of Policy 10 are as follows: -

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

17. The application includes a report from a structural design consultant which indicates that the current buildings are in a poor condition and that a significant amount of repair and refurbishment work would be required to bring the mill into a more manageable and maintainable condition for further use. The report estimates that these works, including the overhaul of the north light roof and offices would be in excess of £750,000. Therefore, whilst this is a site that could be re-used for employment purposes, the buildings are in need of repair/refurbishment and the roads to the site are not considered as being ideal for heavy goods vehicles.
18. The application does not relate to the whole site, but relates to a 0.49ha section of the site. Within the Employment Land Review (ELR) there are four other employment sites that have been assessed in Whittle-le-Woods; three are also classified as 'Other Urban' sites. These are Swansey Lane, Swansey Mill on Mill Lane and Waterhouse Green on Chorley Old Road. The fourth site is a scrapyards off Chorley Old Road which was classified as 'Other' generally performing poorly and having potential for release from the ELR portfolio. There are however no new employment allocations proposed for the Whittle-le-Woods area. Nevertheless new employment allocations are proposed to the north of Chorley Town which can be accessed from this area. Overall, it is not considered that this proposal for housing on part of the site would result in an unacceptable reduction in the type, quality or quantity of the employment land supply in the Borough.

***The provision and need for the proposed use;***

19. The proposed use of the application site is for housing. The Council has a five year deliverable supply of housing plus 5% and there is no urgent requirement to release additional land for housing. However, housing requirements are not a maximum and this proposal is within the settlement boundary of Whittle-le-Woods which Core Strategy Policy 1 designates as an Urban Local Service Centre where some housing (and employment) growth and investment is appropriate. It is also a brownfield site and the Council has a target of 70% of all new housing development to be provided on brownfield sites. Housing development within the settlement of Whittle-le-Woods is acceptable in principle, subject to compliance with other relevant policies.

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

20. The site does not have a main road frontage, and is accessed via minor roads, which are narrow in places and not ideal for heavy goods vehicles. Access to the site along Kem Mill Lane passes by a number of residential properties and the site is opposite residential

properties. However, it is not far from the A6 and was in active use until relatively recently for employment purposes and could be re-used for these purposes. However, the site is not well suited for employment uses that require access by heavy goods vehicles. The site is relatively sustainable, being within the settlement of Whittle-le-Woods, and is considered suitable for employment or housing uses, or a mix of uses.

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

21. The site is adjacent to residential and employment uses and could be used for either of these uses, although employment uses would need to avoid unacceptable harm to neighbouring residential properties in terms of highway usage and noise/times of operation.

***Whether the ability to accommodate smaller scale requirements would be compromised;***

22. The application site contains large industrial buildings, rather than smaller units, so is likely to be less attractive to smaller scale operators, unless the buildings are refurbished and subdivided. The site could be redeveloped to accommodate smaller units, although no financial assessment has been provided. Therefore, this proposal would prevent the accommodation of smaller scale units on this site.

***There would be a net improvement in amenity.***

23. The proposed development would replace industrial buildings with housing in a location where there are existing residential properties and would be likely to provide a net improvement in amenity.

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

24. The applicants have provided a letter from Eckersley Commercial Property Solutions which states that the property was marketed for 6 and a half months from the 4<sup>th</sup> December 2012 and when sold in June to the applicants, Eckersley were instructed to continue with the marketing of the property. The marketing has involved utilising standard marketing initiatives including marketing boards, producing marketing particulars together with mailshots and the inclusion of the availability of the premises on various online mediums including Eckersley, EG Property Link Focus, Perfect Information Property, Alcium Property Pilot and the CBC and LCC Economic development units for inclusion in their respective property registers.
25. However when the application was initially submitted, it had not been marketed for the full 12 months required by Policy 10 and the application did not include details of expressions of interest either and/or offers received. The applicant has now provided more information as to the marketing which has taken place and included the details of enquiries made which total seven, three of which resulted in a viewing. However, no progress was made on any of the initial enquiries and one of the reasons given why the site was not progressed related to the access. Also, the 12 month marketing period has now elapsed and full details of the marketing methods undertaken have been provided which are in compliance with the requirements of Policy 10 and the SPD.

***An assessment of the viability of employment development including employment re-use and employment redevelopment.***

26. The applicants have provided a report from a structural design consultant that estimates that works needed to bring the buildings into a more manageable and maintainable condition for further use, including overhaul of the north light roof and offices, would be in excess of £750,000 and that it is highly unlikely that the cost of these works could be ever be recouped from the sale or lease of the building on a long term basis. They recommend that other potential re-development of the site is explored, including where necessary partial or full demolition of the mill.

27. The applicant has advised that demolishing part of Kem Mill and re-building generic, speculative business space is simple unfeasible as the units would have to be in the region of 6-8m high with large roller shutter doors and a large access would also be required to enable HGV access. Without offering such space, and without providing access for HGV's, future tenants will simply not take up any of the units. The applicant also asserts that the site is simply not suitable for this type of business development given its constraints and its location and the mixed use of houses and the retained employment space. Successful
28. Taking into account the fact that the site has now been marketed for 12 months and based on the information submitted by the applicant both initially and in addressing the c, it is considered that the requirements of Policy 10 of the Core Strategy and the SPD have been complied with so the 'principle' of a non-employment use on the site has now been established.

#### Density

29. The site extends to an area of 0.49 hectares so the provision of eight dwellings on the site equates to a density of 16 dwellings per hectare.

#### Levels

30. The application includes a topographical survey and the proposed site plan details the finished floor levels of the dwellings. The part of the site occupied by the mill is flat and the car park part of the site falls from west to east by approximately 0.5m. The finished floor levels of the dwellings are proposed at 65.1 which are not significantly higher than the existing level of the site.

#### Affordable Housing

31. The site area and number of dwellings proposed falls under the threshold for requiring the provision of affordable housing on the site under Policy 7 of the Core Strategy.

#### Impact on the Neighbouring Amenity

32. There are residential properties to the eastern side of Kem Mill Lane. The closest proposed dwelling to the nearest of these properties (41 /43 Kem Mill Lane) is on plot 1. This property is side on to 41/43 Kem Mill Lane and its side elevation would be 13.5m away. The Council's Spacing Standards require a distance of 12m. In the ground floor of this property are secondary windows to a kitchen and dining room and a first floor window to an en-suite bathroom. The ground floor windows will be screened by a 1.8m screen fence and the first floor window will be required to be fitted with obscure glazing. In terms of floor levels, the finished floor level of plot 1 is to be 65.3 whilst the finished floor level of 41/43 Kem Mill Lane is 65.2 so there is a minimal difference of only 10cm between the two. The relationship between plot 1 and 41/43 Kem Mill Lane is therefore an acceptable one. It should also be noted that four trees are to be retained between this property and 41/43 Kem Mill Lane.
33. In terms of the relationship with Fox Field, the nearest proposed dwelling to this property will also be plot 1. However, this will be 25m away from this property to the north east of it. Plot 8 will be located 36m to the west. The outlook from this property will not therefore be detrimentally harmed as a result of the development. The southern part of the site is also shown on the proposed site plan as being retained for future facilities associated with the Cricket Club, subject to negotiations.
34. Internally, the window to window and window to wall interface distances are in accordance with the Council's Spacing Standards. Plot 7 does sit forward of plot 8 but given the orientation of these plots, the garden of plot 7 will still receive a satisfactory level of sunlight from midday onwards and any purchaser of the property will do so in full knowledge of the relationship between these properties. It is therefore considered that the occupiers of the proposed dwellings will enjoy satisfactory amenity standards.

#### Design

35. The dwellings are all two storey with integral, attached or detached double garages. The dwellings are set along a cul-de-sac with the dwellings on plots five to eight facing east and fronting onto the cricket ground. A small landscaped seating area is to be provided adjacent to the turning head which will face onto the cricket ground to the east.

36. There are existing residential properties located to the east of the site on Kem Mill Lane and these comprise traditional two storey properties. Fox Field has red brick elevations with a concrete tile roof and the other property 41.43 Kem Mill Lane has white rendered elevations and a stone gable end a slate covered roof.
37. The existing part of Kem Mill to be demolished comprises a fairly modern single storey office building and to the north an older mill/warehouse, the western elevation of which forms the boundary with Kem Mill Lane. The southern wall of the retained part of Kem Mill will be set off the boundary of the development by 2m and the proposed site plan details a landscaped buffer along this boundary.
38. The designs of the dwellings are modern in character but incorporate traditional elements and detailing. The scale of the dwellings is not dissimilar to the adjacent dwellings on Kem Mill Lane although the site will effectively be self-contained.
39. The design and scale of the dwellings will sit comfortably on the site given it is of relatively low density and the retention of the trees will give the site a sense of maturity. The landscape seating area will also enhance the aesthetics of the site as will the orientation of the dwellings on plots 5 to 8 facing onto the river and the cricket pitch to the east. Kem Mill Lane will also be improved visually by removal of the western mill wall which demarcates the boundary of the east side of part of Kem Mill Lane. Subject to suitable landscaping, tree retention and materials, it is considered that the design and scale of the dwellings and the layout of the site is acceptable.

#### Trees and Landscape

40. The application includes an Arboricultural Impact Assessment. This proposes the removal of only two trees and these are outside of the red edged application site. The reason for removing these trees is specified as being due to the poor condition of these trees (T17 and T18). The rest of the trees on the site are to be retained and the development has been designed so as none of the dwellings are within the Root Protection Zones of the trees.
41. The Tree Officer has commented that some of the trees are worthy of a Tree Preservation Order. However, the scheme has been designed around the trees hence they are not deemed to be under threat given the applicant has engaged the services of an Arboricultural Consultant. Conditions to safeguard the trees during the course of construction works are therefore recommended. In terms of the LCC (Ecology) comments, a response is awaited as the applicant has suggested retaining the tree which has bat roosting potential. An update will therefore be provided on the addendum.

#### Ecology

42. Lancashire County Council (Ecology) state that clarification is needed so to whether or not the tree with bat roost potential on the site is to be retained and if it is not, a further bat assessment/survey will need to be undertaken prior to determination. The applicant has suggested retaining the tree which has the potential as a bat roost and comments on this from LCC (Ecology) will be reported in the addendum.
43. However, if the above issue can be resolved, LCC (Ecology) recommend the imposition of conditions pertaining to landscaping, lighting, tree protection, eradication of Japanese Knotweed, measures to protect breeding birds and the requirement for a precautionary water vole survey if works will take place within 5m of the river bank top.

#### Traffic and Transport

44. LCC (Highways) advise that the development must be constructed to LCC standards in order to be acceptable for adoption under Section 38 of the Highways Act 1980. LCC (Highways) also state that it is assumed that the applicant is aware of the implications of accessing the site via the section of Kem Mill Lane which is unadopted. It is also stated that the development is to be constructed to adopted standards but will remain private although LCC (Highways) would encourage the development to be offered for adoption. A condition is therefore recommended

requiring the submission of a management plan for the development, in the event that it is not offered for adoption by LCC.

45. Access to the site from Preston Road is via either Kem Mill Lane or Rectory Lane. A new access into the site will be formed just north of 41/43 Kem Mill Lane. Each dwelling will have sufficient off road car parking spaces to meet the Parking Standards in the emerging Chorley Local Plan and the turning head at the eastern end of the site will enable refuse collection vehicles to enter and leave the site in a forward gear.
46. LCC (Highways) do not raise any objections to the application in terms of the access to it, the layout and the level of car parking proposed. The applicant has also widened the internal access road to 4.8m in response to LCC (Highways) request to ensure that the road is sufficient wide to accommodate other users, such as cyclists, pedestrians and those with mobility difficulties.

#### Open Space

47. The Council's Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17<sup>th</sup> September 2013.

#### Amenity Greenspace

Emerging Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a surplus of provision in Whittle-le-Woods in relation to this standard; a contribution towards new provision is therefore not required from this development. However, there are two amenity greenspaces within the accessibility catchment (800m) that are assessed as low quality and/or value in the Open Space Study (ref 1660 - Adjacent Heather Hill Cottage, Hill Top Lane and ref 1535 - Rear of Delph Way/ Cross Keys Drive). A contribution towards the improvement of existing provision in the settlement is therefore required from this development. The amount required is £140 per dwelling.

#### Provision for children/young people

Emerging Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Whittle-le-Woods in relation to this standard; a contribution towards new provision is therefore not required from this development. However, there is a children's play area within the accessibility catchment (800m) that is assessed as low quality and/or value in the Open Space Study (ref 1431 - The Ridings). A contribution towards the improvement of existing provision in the settlement is therefore required from this development. The amount required is £134 per dwelling.

#### Parks and Gardens

There is no requirement to provide a new park or garden on-site within this development. There are no parks/gardens within the accessibility catchment (1,000m) of the site identified as being low quality and/or low value in the Open Space Study, a contribution towards improving existing provision is therefore not required.

#### Natural and Semi-Natural Greenspace

There is no requirement to provide new natural/semi natural greenspace on-site within this development. However, there is a natural/semi-natural greenspace within the accessibility catchment (800m) that is assessed as low quality and/or value in the Open Space Study (ref 1953 - Between Wood End Road/ Rowan Croft). A contribution towards the improvement of existing provision in the settlement is therefore required from this development. The amount required is £557 per dwelling.

#### Allotments

There is no requirement to provide allotment provision on site within this development. However, a new allotment site within the accessibility catchment (10 minutes' drive time) is proposed at Land at Sylvesters Farm, Euxton (ref HW5.2). In addition, there is an allotment within the accessibility catchment that is assessed as low quality and/or value in the Open Space Study (ref 1648 - Allotments rear of Bay Horse Hotel, Preston Road). A contribution is therefore required from this development. The amount required is £15 per dwelling.

### 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 amount required is £1,599 per dwelling.

48. The total financial contribution required from this development is as follows:

Amenity greenspace	= £1,120
Equipped play area	= £1,072
Parks/Gardens	= £0
Natural/semi-natural	= £4,456
Allotments	= £120
Playing Pitches	= £12,792
<b>Total</b>	<b>= £19,560</b>

### Contamination and Coal Mines

49. The Council's Land & Contaminated Waste Officer and the Environment Agency recommend conditions requiring the applicant to carry out an initial desk study, site walkover and preliminary risk assessment. If the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures.

### Drainage and Sewers

50. United Utilities have not raised any objections to the application. The Environment Agency do not raise objections either but recommend two conditions. The first one requires the development to be carried out in accordance with the submitted Flood Risk Assessment. Specifically, this requires finished floor levels to be set no lower than 65.1 metres above Ordnance Datum (AOD) which equates to 600 mm above the 1 in 100 year modelled flood level, limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm to the 1 in 2 year rate of 9.5 litres per second and identification and provision of safe route(s) in to and out of the site to an appropriate safe haven. The second condition requires the submission of a surface water drainage strategy.

### Sustainability

51. In line with Policy 27 of the Core Strategy, the dwellings will be required to be constructed to meet the relevant Code for Sustainable Homes level so the standard conditions are recommended requiring this to be the case.

### Waste Storage & Collection

52. There is adequate space within the curtilage of each of the dwellings and bins can be placed at the kerbside on collection days wherein the carry distances specified in Manual for Streets are complied with.

### Section 106 Agreement & Community Infrastructure Levy (CIL)

53. A S106 agreement is required to secure the commuted sum of £19,560 to be used towards off site open space as detailed above.

54. The development is liable under CIL. However, no charge will be levied in this case as the floor space of the dwellings is offset against the existing floor space of the demolished part of the mill (which is greater) and this has been in lawful use for at least 6 of the last 12 months.

### **Conclusion**

55. It is considered that the 'principle' of residential development on this site is an acceptable one given that the period of marketing has now been undertaken in accordance with the requirements of Policy 10 of the Central Lancashire Core Strategy.



56. The proposed dwellings are considered to be satisfactory in terms of design and scale whilst the layout of the site makes good use of its proximity next to the river and cricket pitch. The development can be accommodated on the site without having a detrimental impact on the living conditions of the occupiers of the properties on Kem Mill Lane to the east and the layout of the development is such that the occupiers of the dwellings will have suitable outdoor amenity space and living conditions.
57. Removal of the southern part of Kem Mill will lead to a reduction in heavy goods vehicles using Kem Mill Lane and/or Factory Lane. LCC (Highways) do not object to the development and each dwelling will have adequate off street car parking which meets the Parking Standards in the emerging Chorley Local Plan.
58. It is therefore recommended that planning permission be granted for the proposed development, subject to the signing of a S106 agreement.

## **Planning Policies**

### National Planning Policies:

National Planning Policy Framework (NPPF)

### Adopted Chorley Borough Local Plan Review

GN1: Settlement Policy- Main Settlements

GN5: Building Design & Retaining Existing Landscape Features.

EP4: Species Protection

EP9: Trees and Woodland

HS4: Design and Layout of Residential Developments

HS6: Housing Windfall Sites

HS21: Playing Space Requirements

TR4: Highway Development Control Criteria

Supplementary Planning Guidance (SPG):

- Design Guide

### Joint Core Strategy

Policy 1: Locating Growth

Policy 4: Housing Delivery

Policy 5: Housing Density

Policy 7: Affordable & Special Needs Housing

Policy 10: Employment Premises & Sites

Policy 17: Design of new buildings

Policy 22: Biodiversity and Geodiversity

Policy 27: Sustainable Resources & New Developments

Policy 29: Water Management

Supplementary Planning Document (SPD):

- Design

### Emerging Chorley Local Plan 2012-2026

ST4: Parking Standards

HS4A: Open Space Requirements in New Housing Developments

HS4B: Playing Pitch Requirements in New Housing Developments

BNE1: Design Criteria for New Development

BNE9: Trees

BNE10: Species Protection

## **Planning History**

74/00161/FUL – Workshop & offices – Permitted on 08.07.1974

74/00999/ADV - Company name on wall and small hoarding near entrance – Permitted on 05.02.1975

03/01220/COUMAJ - Change of Use to children's play centre – Permitted on 11.02.2004

09/00141/FUL - Single storey side extension to accommodate 3 no. males toilets, 3 no. females toilets and 1 no. disabled toilet – Permitted on 24.04.2009

**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. 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. *Reason: To secure the proper drainage of the site to the satisfaction of United Utilities.*

3. No development approved by this planning permission (or such other date or stage in development as may be agreed in writing with the Local Planning Authority), shall take place until a scheme that includes the following components to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority:

- 1) A preliminary risk assessment which has identified: all previous uses potential contaminants associated with those uses a conceptual model of the site indicating sources, pathways and receptors potentially unacceptable risks arising from contamination at the site.
- 2) A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.
- 3) The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.
- 4) A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express written consent of the Local Planning Authority. The scheme shall be implemented as approved. *Reason: To ensure the development does not pose an unacceptable risk of pollution to controlled waters*

4. 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.*

5. 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. 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 residents.*

6. No part of the development hereby permitted shall be occupied or used until a means of vehicular access has been constructed in accordance with the approved plans. *Reason: In the interests of highway safety*

7. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.*

8. The integral and detached garages hereby permitted shall only be used for purposes incidental to the enjoyment of the dwellinghouse, including the parking of cars. The garage shall not be used for any trade or business purposes. *Reason: In order to safeguard the residential amenity and character of the area*

9. 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, means of enclosure, minor artefacts and structures.

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 and secure a high quality design.*

10. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority. *Reason: In the interests of highway safety and to prevent flooding*

11. All dwellings shall be constructed to meet 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*

12. 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.*

13. 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, porch, garden shed, greenhouse, garage or car port shall be erected other than those expressly authorised by this permission. *Reason: In the interests of neighbour amenity.*

14. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (FRA) by Enzygo (dated April 2012; ref: SHF.1003.001.R.001.A) and shall be subject to the following requirements:

1. Finished floor levels are set no lower than 65.1 metres above Ordnance Datum (AOD) which equates to 600 mm above the 1 in 100 year modelled flood level.
2. Limiting the surface water run-off generated by the 1 in 100 year plus climate change critical storm to the 1 in 2 year rate of 9.5 litres per second.
3. Identification and provision of safe route(s) in to and out of the site to an appropriate safe haven.

The mitigation measures detailed in the FRA shall be fully implemented prior to occupation or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority. *Reason: To ensure the development is not at an unacceptable risk of flooding or exacerbate flood risk elsewhere*

15. No development shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The drainage strategy should demonstrate the surface water run-off generated up to and including the 1 in 100 year plus climate change critical storm will not exceed the run-off from the undeveloped site following the corresponding rainfall event. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed. *Reason: To prevent the increased risk of flooding, both on and off site*

16. No development shall take place until a detailed method statement for removing or the long-term management / control of Japanese knotweed on the site has been submitted to and approved in writing by the local planning authority. The method statement shall include proposed measures that will be used to prevent the spread of Japanese knotweed during any operations e.g. mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981, as amended. Development shall proceed in accordance with the approved method statement. *Reason: To ensure the development does not contribute to the further spread of Japanese knotweed*

17. No occupation shall take place until a verification report demonstrating completion of works set out in the approved remediation strategy and the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved. *Reason: To ensure any remediation works on site are implemented and completed in full.*

18. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) 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.*