

Item 3F	14/00551/OUT
Case Officer	Nicola Hopkins
Ward	Eccleston And Mawdesley
Proposal	Outline application (all matters reserved) for the erection of 2 detached dwellings and the remodelling of the existing dwelling.
Location	Ricmarlo , Preston Nook, Eccleston
Applicant	Mr Paul Thompson
Consultation expiry:	24th June 2014
Decision due by:	18th July 2014
Link to plans	http://planning.chorley.gov.uk/online-applications/search.do?action=simple&searchType=Application

Recommendation

Approve outline planning application subject to the associated S106 Agreement

Executive Summary

The main issues to consider are whether the proposals accord with the policies contained within the current and emerging Local plan particularly as this site represents garden land which is specifically referred to within the emerging Local Plan. For the reasons set out below it is considered that the proposals are consistent with the aims of the Framework and the thrust of policy HS3 and are acceptable in principle.

Representations

Eccleston Parish Council objects to the above application on the following grounds:

- It fails to comply with any of the three criteria contained within Policy HS3 of the proposed Chorley Local Plan 2012-2106 for permission for development within private residential gardens on sites not allocated in the Housing Allocations Policy.
- Para 27 of the Chorley Local Plan 2012-2106 states "There are areas that are particularly sensitive to the potential negative impact of garden development such as locally important areas and other areas where character is defined by low density housing set in mature, generous gardens, and where development could have a detrimental impact on heritage assets such as listed buildings, conservation areas and locally important areas. Accordingly, in such areas garden development will only be considered to be acceptable in exceptional circumstances, subject to other material planning considerations, providing the developer can demonstrate that the proposed development is in keeping with the character of the area."
- Preston Nook is an example of an area where character is defined by low density housing set in mature, generous gardens. From the application submitted there is no indication whatsoever that the developer has demonstrated the required exceptional circumstances.

In total 7 representations have been received which are summarised below

Objection - Total No. received: 7

- Represents over-development of site
- Not in keeping with the local streetscene and the character of the area.
- The street contains detached properties on large plots; this scheme crams in as many homes as possible, and is unsuitable for the location.
- No local need for these houses
- Garden development is classed as in the Green belt and as the proposed development does not meet the criteria for approval under policy HS3 of the Chorley Borough Local Plan.
- Would like to know if the proposed development includes the provision for Preston Nook to be adopted by the relevant authority to cover the ongoing maintenance this development would cause to the roadway which is currently maintained by the residents
- Unable to view plans on line
- This is a quiet cul-de-sac 5 extra properties turns it into a housing estate with a considerable increase in traffic flow.
- The properties proposed to the rear of Ricmarlo are planned in a flooding site
- Create overlooking and loss of privacy.
- Policy HS7 rural infilling, particularly section C, would not be met.
- If the proposals for the development at Camelot are successful there will be an even bigger surplus.
- Overlooking and loss of privacy

Consultees

Consultee	Summary of Comments received
Council's Waste and Contaminated Land Officer	Has no objection subject to a suitable condition in respect of remediation/ contamination
United Utilities	Have no objection to the proposal and therefore request no conditions are attached to any approval.
CBC Tree Officer	G1 small group of trees on the banking south west edge of the garden. Group consist of crab apple and hawthorn, approximately six trees. Condition of the trees is poor and of low quality. These trees may not be affected by development. Removal agreed. G2 small group of trees on west side of banking. Group consist of several crab apple trees. Trees of low quality and poor condition. Removal agreed T1 Young sycamore with diameter below 150mm
LCC Ecology	Have commented in respect of bats
LCC Highways	Has commented on the indicative access proposals

Assessment

Principle of the Development

1. Members will note that this application is submitted in conjunction with application 14/00550/OUT which is reported elsewhere on this agenda.
2. The site is located within the settlement area of Ecclestone as identified within both the existing and emerging Local Plan. The emerging Local Plan identifies that development within settlement areas may be for an appropriate use such as housing, offices, community facilities or green infrastructure. This should be read in conjunction with other policies and proposals in the emerging plan and with Core Strategy Policy 1: Locating Growth. Within Core Strategy Policy 1, Ecclestone is identified as a Rural Local Service Centre where limited growth and investment will be encouraged to help meet local housing and employment needs and to support the provision of services to the wider area.
3. Policy GN3 of the current Local Plan restricts development in Ecclestone to development and redevelopment of land wholly within the existing built up extent of the settlement. As this site falls within the settlement boundary the principle of developing the site accords with Policy GN3.
4. The proposals involve redeveloping the existing residential curtilage and as such Policy HS3 of the emerging Local Plan is applicable. The Inspector has issued her Partial Report on her findings into the soundness of the emerging Chorley Local Plan which is a material consideration in the consideration of any planning application.
5. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies & Travellers. The examination of the local plan remains open, and the Inspector will reconvene the examination later this year to consider Gypsy & Traveller Matters, which would enable adoption of the local plan, following a supplementary report.
6. Paragraph 18 of the Partial Report states: *“For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all of the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However, because of the very advanced stage in the examination process that the main modifications set out in the attached Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.”*
7. The Council accepted the Inspector’s modifications for Development Control purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be afforded to her report and to the policies and proposals of the emerging Local Plan as amended by the main modifications.
8. Policy HS3 states:

Applications for development within private residential gardens on sites not allocated in the Housing Allocations Policy will only be permitted for:

 - a) Appropriately designed and located replacement dwellings where there is no more than one for one replacement.
 - b) The conversion and extension of domestic buildings.
 - c) Infill development on gardens. Infill is the filling of a small gap in an otherwise built-up street frontage, e.g. typically a gap which could be filled by one or possibly two houses of a type in keeping with the character of the street frontage.

When assessing applications for garden sites, the Council will also have regard to;

 - 1) Sustainability, such as access to public transport, schools, businesses and local services and facilities.

Proposals which significantly undermine amenity and harm the distinctive character of an area will be refused.

9. Policy HS1 of the emerging local plan expressly states that development on private residential gardens is not required as a matter of principle. The preamble to Policy HS3 confirms that the Council will resist proposals for garden development considered to harm the character and local amenity and biodiversity balance of an area and the policy confirms that proposals which significantly undermine amenity and harm the distinctive character of an area will be refused. As such development will only be considered to be acceptable in exceptional circumstances, subject to other material planning considerations.
10. There is no presumption in favour of developing this greenfield site (the National Planning Policy Framework excludes private residential garden curtilages in built up areas from the definition of previously developed land) as the Council has a deliverable five year housing supply including the additional buffer of 5% however plot 1 would infill a gap (which would be created by remodelling Ricmarlo) between Ricmarlo and Woodview. This accords with the criteria set out within Policy HS3.
11. Whilst it is noted that there is land outside the residential curtilage which forms a gap between Ricmarlo and the adjacent dwellings to the north west it is important to note that when viewed from the streetscene all of this land 'reads' as if it forms part of the curtilage of Ricmarlo and as such effectively plot 2 will result in an infill between Ricmarlo and the properties to the north west. Given the sustainable location of the site and its position in relation to other dwellings nearby it is considered that the proposal is consistent with the aims of the Framework and the thrust of policy HS3 and is acceptable in principle.
12. As noted above neighbours have referred to the non-compliance of the proposals with Policy HS7 of the emerging Local Plan. Policy HS7, which relates to rural infilling only, relates to smaller villages not identified within Policy 1 of the Core Strategy. Eccleston is included within Policy 1 and as such Policy HS7 is not applicable.

Outline Application

13. This is a wholly outline application to establish the principle of redeveloping the site for housing which as set out above is considered acceptable in principle. To demonstrate that the site can be suitably developed an indicative layout plan and levels plan have been submitted with the proposals indicating that two dwellings will be constructed either side of the remodelled Ricmarlo. The indicative streetscene plans indicate that Ricmarlo will be reduced in size by removing the 1.5 storey side garage element with dormer above. This will create a more typically designed dwelling.

Density

14. The red edge site location plan covers an area of 0.15 hectares which results in a density of 20 dwellings per hectare. Policy 5 of the Core Strategy confirms 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. As set out above concerns have been raised that the proposals represent overdevelopment of the site and do not reflect the character of the area which comprises large detached dwellinghouses in large plots at a low density level. However 20 dwellings per hectare is a very low density which given the character of the area is considered to be appropriate and reflects the character of the area.

Levels

15. There are significant level changes adjacent to the site and the edge of the residential curtilage slopes down steeply to the adjacent land (with a level difference of approximately 5.5 metres from the bottom of the banking to the garden level). The adjacent land is subject to a separate planning application (14/00551/OUT) and a full assessment of neighbour amenity is addressed below.

Impact on the neighbours

16. Although the plans submitted are indicative, an assessment of the impacts on the neighbours is essential to demonstrate that the development can be accommodated without adversely impacting the neighbours' amenities.
17. The immediate neighbours to the site are Twisted Chimney, 1 Ince Lane, Ince Cottage, 16 Enfield Close, Woodview and 4a Preston Nook. The proposed new dwellings to the rear of the application site will also be neighbours in the event that planning permission is granted for those proposals.
18. Twisted Chimney is a large detached dwellinghouse which was granted planning approval in May 2000 and has a finished floor level of approximately 30.07. The dwelling is located to the west of the application site and the dwelling on plot 2 (which is closest to Twisted Chimney) has a very similar suggested finished floor level (29.60) as the existing dwelling. Over 25 metres is maintained between Twisted Chimney and plot 2 and the new dwelling is indicated at an angle to the existing dwelling. As such no loss of amenity will be created in respect of either the existing or future residents.
19. 1 Ince Lane and Ince Cottage are a pair of semi-detached dwellings located to the north west of the application site. The finished floor levels of these properties are approximately 30.84 which is approximately 1.2 metres higher than the indicated finished floor level of plot 2. There is however an intervening parcel of land between the existing and proposed dwelling (where the access road is indicated for the adjacent planning application) and as such in excess of 17 metres separation distance is maintained. As such no loss of amenity will be created in respect of either the existing or future residents.
20. 16 Enfield Close is located close to north of the application site however as an excess of 25 metres is maintained between plot 2 and the existing dwelling it is not considered that any loss of amenity will be created.
21. Woodview is an existing detached bungalow which adjoins the application site. Plot 1 is shown indicatively adjacent to Woodview. Plot 1 has a finished floor level (30.03) which is very similar to the finished floor level of Woodview (30.13). There are no habitable room windows within the side elevation of Woodview which face plot 1 (this part of Woodview is attached garage accommodation) and as such it is not considered that the suggested siting of plot 1 will result in any loss of outlook to the detriment of the occupiers of Woodview. The indicative plans detail a detached double garage adjacent to the boundary with Woodview however given that Woodview is located to the south east of proposed plot 2 and the detached garage will only be single storey it is not considered that this element of the proposals will adversely impact on the amenities of the occupiers of Woodview.
22. Members will note there is another application on the agenda for the erection of up to 3 detached dwellings on the land to the rear of this application site (14/00550/OUT). In the event that application 14/00550/OUT is approved the proposed dwelling on plot 3 will border this application site. However plot 1 is sited to ensure that there will be no loss of privacy to the detriment of the future residents and plot 2 maintains over 27 metres to the rear boundary and does not allow any direct views of the proposed private garden area of plot 3.
23. The side elevation of plot 3 on the adjacent site is detailed as being 25 metres from the rear elevation of the remodelled Ricmarlo and approximately 4.5 metres lower. Given the level difference there would be a requirement to maintain 28 metres from the rear elevation of Ricmarlo to the side gable of the proposed dwelling (taking the standard 12 metre window to gable distance and increasing the spacing distance to take into account the level change). In the case of this relationship only 24 metres is maintained however given the significant level difference Ricmarlo will not face a gable wall and it will view the roof of plot 3 (if a standard two storey dwelling is constructed which would be appropriate from a design perspective in this location) and as such 24 metres is considered to be a sufficient spacing distance. As such no loss of amenity will be created by the proposals subject to application 14/00550/OUT.
24. 4a Preston Nook is a newly constructed detached two storey dwelling (08/01017/FUL) located on the opposite site of the highway to the application site. The remodelled Ricmarlo will face the side elevation of 4a Preston Nook however it will be no closer than

the existing dwelling and as such will not create any further loss of amenity. Plot 1 will face the front elevation of 4 Preston Nook however at an obscure angle. Over 24 metres is maintained between the proposed and existing dwelling and 4a Preston Nook has a finished floor level (31.15) which is approximately 1.1 metres higher than the finished floor level of proposed plot 1. Given the level change an additional 3 metres in excess of the Council's required 21 metres window to window distance is required which is achieved on this site.

25. Whilst it is acknowledged that the layout is indicative it is considered that a scheme for 2 dwellings on this site can be designed to maintain both the existing neighbours' amenities and the future residents' amenities.

Affordable Housing

26. Policy 7 of the Core Strategy sets out the requirements for the provision of affordable housing in Central Lancashire to meet the acute need for such housing in the area. Amongst other things, the Policy states that the minimum site size threshold will be 15 dwellings (0.5 hectares or part thereof) but a lower threshold of 5 dwellings (0.15 hectares or part thereof) is applicable in rural areas. As Eccleston is a Rural Local Service Centre the 5 dwelling threshold applies in this case. Policy 7 is supported by the accompanying Supplementary Planning Document on affordable housing (SPD) which was adopted in October 2012.
27. The accompanying SPD explains that the size of a development should not be artificially reduced in order to avoid the affordable housing requirements, for instance by subdividing sites or reducing the density of all or part of the site. Although this application is only for 2 dwellings it is noted that it is intrinsically linked to the planning application on the adjacent site (14/00550/OUT). Two applications have been submitted because there are different planning policy issues in respect of each application. However both applications have been submitted together and by doing this has effectively subdivided the site which is specifically referred to within the SPD. As such the development of this site actually results in the erection of 5 new dwellings and as such the development will be required to make provision for affordable housing in accordance with Policy 7, which in the case of this site would be 35% (or 1 unit).
28. In this regard the Council's greatest current need is 2 bedroom houses with little requirement for large dwellings as proposed. Policy 7 does include provision for off-site provision or financial contributions of a broadly equivalent value instead of on-site provision where robustly justified. However this can only be justified where the site or location is unsustainable for affordable or special housing. In this case of a site located within a rural service centre, such as this site, this is considered to be a suitable location for onsite affordable housing. This will be secured via the associated S106 Agreement.

Highways and Traffic

29. As set out above issues have been raised about the additional traffic generated by the proposed dwellings, noise and the usability of the proposed access road in inclement weather. It is important to note that the suggested access points are indicative as access is reserved however the site has been assessed to establish whether suitable access arrangements can be secured.
30. The Highway Engineer at LCC has reviewed the proposals and confirmed the indicative plans submitted show that the accesses to both developments are proposed to Enfield Close and not Preston Nook as indicated. However, since the outline application is seeking approval with all matters reserved, this can be corrected at the reserved matters stage. This correction is necessary as Preston Nook is an un-adopted road.
31. There are no highway objections to the proposal in principle, but the Highway Engineer has suggested that measures should be incorporated into the design of the developments to ensure that vehicles from the development do not use Preston Nook as a rat-run to The Green and vice versa due to the fact that the road is un-adopted, narrow and unsuitable for 2-way traffic. Whilst this would be preferred it is noted that the applicant has no control over Preston Nook to secure any suggested measures. The access points will be served off the part of the highway which is suitable for 2 way traffic and as the

access via Preston Nook is very restricted and appears to be controlled by the surrounding residents this risk is considered to be low.

32. The Highway Engineer has commented that only two vehicle accesses can be accommodated within the available site frontage due to issues of visibility and the likelihood of a vehicle waiting to access one driveway obstructing access to the other. However the engineer considers that once these accesses are amended, the indicative layouts of both sites should be acceptable. As this is a wholly outline application it is considered at reserved matters stage this issue could be addressed by, for example, two of the plots incorporating a shared access. This will be attached to the recommendation as an informative and dealt with via condition.

Trees

33. Within the vicinity of the site there is mature vegetation however this is mainly related to the adjacent application site. Although there are trees close to this application site they have been categorised as retention category C (which are trees of low quality with an estimated life expectancy of at least 10 years, or young trees with a stem diameter below 150mm) apart from 1 which is categorised as retention category U (which is trees of such a condition that they cannot be realistically retained as living trees in the context of the current land use for longer than 10 years).
34. The Council's Tree Officer has visited the site and confirmed that the trees close to the application site and confirmed that they can all be removed. As such it is not considered that the proposals will adversely impact on trees within the area.
35. It is noted that there will be hedgerow removal to facilitate the proposals however the hedgerow has not been identified as being high quality and the landscaping scheme can secure an appropriate replacement boundary treatment to mitigate for the loss.

Ecology

36. Due to the fact that the proposals involve remodelling and demolishing part of an existing dwelling an Ecological Survey and Assessment supports the application. This has been reviewed by the Ecologist at LCC who initially raised the following concerns:
- It should be established whether or not the building to be affected by the proposal has features that may be used by roosting bats. If so, then before the application is determined, bat survey(s) in line with recognised guidance, will need to be undertaken to establish the presence or absence of roosting bats.
 - If roosting bats are present, then the proposed works may result in a breach of The Conservation of Habitats and Species Regulations 2010, unless a Natural England licence is issued prior to commencement of works. Chorley Borough Council should not approve the application if there is reason to believe that such a licence would not be issued. Chorley Borough Council should therefore have regard to the requirements of the Habitats Directive in reaching the planning decision.
37. In response to this an Ecological Survey and Assessment was provided which has been assessed by the Ecologist at LCC. The Ecologist has confirmed that owing to likely impacts on bats the proposed works may result in a breach of The Conservation of Habitats and Species Regulations 2010, unless a Natural England licence is issued prior to the commencement of the works. The Ecologist has commented that Chorley Borough Council should not approve the application if there is reason to believe that such a licence would not be issued and the Council should have regard to the requirements of the Habitats Directive in reaching the planning decision, these are set out below.
38. 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

39. The Ecologist has commented that the development proposals include mitigation for likely impacts on bats and their habitat and in her opinion, the mitigation proposals may be adequate to form the basis of a mitigation method statement to address the third test (above) in a licence application, subject to any minor amendments that maybe required by Natural England. As such it is considered that adequate bat mitigation can be addressed by condition.

Open Space

40. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. Therefore, the requirements below are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity Greenspace

41. Emerging Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population. There is currently a deficit of provision in Ecclestone in relation to this standard, a contribution towards new provision in the settlement is therefore required from this development. The amount required is £140 per dwelling.

Provision for children/young people

42. Emerging Local Plan Policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a surplus of provision in Ecclestone in relation to this standard, a contribution towards new provision in the settlement is therefore not required from this development. The site is also not within the accessibility catchment (800m) of any areas of provision for children/young people that are identified as being low quality and/or low value in the Open Space Study. A contribution towards improvements is therefore also not required from this development.

Parks and Gardens

43. 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 this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Natural and Semi-Natural Greenspace

44. There is no requirement to provide new natural/semi natural greenspace on-site within this development. There are no areas of natural/semi-natural greenspace within the accessibility catchment (800m) of this site identified as being low quality and/or low value in the Open Space Study therefore a contribution towards improving existing provision is not required.

Allotments

45. There is no requirement to provide allotment provision on site within this development. The site is within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Station Road, Croston (HW5.4). A contribution towards new allotment provision is therefore required from this development. The amount required is £15 per dwelling.

Playing Pitches

46. 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.

47. In the event that 2 new dwellings are constructed on this site this would result in a contribution of £3508.

Sustainable Resources

48. Policy 27 of the Adopted Core Strategy requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016 in accordance with Policy 27 of the Core Strategy.

49. Policy 27 also includes the following requirements which are applicable to schemes of five or more dwellings. Similar to the affordable housing requirements this application and the adjacent application are intrinsically linked and as the proposals result in the erection of 5 new dwellings the following part of Policy 27 is also applicable:

Criteria (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;

Criteria (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%;

Criteria (c)- Appropriate storage space is to be provided for recyclable waste materials and composting;

Criteria (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.

Community Infrastructure Levy

50. 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 charging commenced on 1 September 2013.
51. This is an outline application which does not include the internal dimensions of the dwellings however the submitted CIL form indicates that 211 m² of floorspace will be provided (subtracting the floorspace that will be lost in respect of Ricmarlo) which at a rate of £65.00 per m² (in accordance with the Adopted CIL Charging Schedule), would result in the development being CIL chargeable to an approximate value of £13,715. This may change at reserved matters stage when the full details of the dwellings and their floorspace is provided which would result in the issuing of a revised CIL liability notice.

Overall Conclusion

52. The proposals result in the remodelling of an existing dwelling and the erection of two new dwellings. Although the immediate surrounding area is characterised by large dwellings within large plots it is considered that a scheme can be designed at reserved matters stage to respect the character of the area. The proposals are considered to be acceptable in terms of planning policy and as such are recommended for approval subject to the associated S106 Agreement.

Planning Policies

53. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the

National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Recommended Conditions

No.	Condition
1.	<p>An application for approval of the reserved matters (namely the access, appearance, layout, scale and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.</p> <p>Reason: This condition is required to be imposed by the provisions of Article 3 (1) of the Town and Country Planning (General Development Procedure) Order 1995 and Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</p>
2.	<p>The proposed measures given in section 5.2.1 of the ecological survey and assessment by ERAP Ltd (March 2014) for the avoidance of impacts on protected and priority species shall be implemented in full. In the event that great crested newt (or other protected species) is unexpectedly encountered before or during site clearance or development work, then work shall stop until specialist advice has been sought regarding the need for a licence from Natural England and/or the implementation of necessary mitigation measures.</p> <p>Reason: in the interests of the visual amenities of the site and to enhance the biodiversity value of the site.</p>
3.	<p>Any application for reserved matter(s) shall be supported by a landscaping scheme demonstrating enhancement of biodiversity and habitat connectivity. In particular the scheme shall include replacement species rich hedgerows to mitigate for the loss of the existing Leylandi hedgerow and that the linear habitat along the western and southern boundary is retained to ensure that habitat connectivity is maintained and enhanced.</p> <p>Reason: in the interests of the visual amenities of the site, to enhance the biodiversity value of the site and to maintain existing foraging habitats.</p>
4.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the earlier, 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..</p> <p>Reason: In the interest of the appearance of the locality</p>
5.	<p>Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended) which occur on the site shall be eradicated from the site and working methods shall be adopted to prevent their spread in accordance with Environment Agency guidance and codes of practice.</p> <p>Reason: In the interests of eradicating and ensuring that Invasive & Injurious Weeds are permanently removed from the site</p>
6.	<p>All trees being retained in or adjacent to the application area will be adequately protected during construction, in accordance with existing guidelines (e.g. BS5837:2012 Trees in relation to design, demolition and construction - Recommendations).</p> <p>Reason: In the interests of ensuring the continued protection of the trees on the site.</p>
7.	<p>External lighting associated with the development shall be minimal, designed to avoid excessive light spill and shall not illuminate potential bat habitat (e.g. hedgerow, trees) and or/ bird breeding places. The principles of relevant guidance should be followed (e.g. the Bat Conservation Trust and Institution of Lighting Engineers guidance Bats and Lighting in the UK, 2009).</p> <p>Reason: In the interests of maintaining a favourable conservation status of bats on the site.</p>
8.	<p>Any application for reserved matters shall detail that the driveways/hardsurfacing areas for each of the dwellings shall be constructed using permeable materials on a permeable base (under-drained areas can be used if ground conditions do not</p>

	<p>suit). The materials shall be maintained in perpetuity thereafter. Reason: In the interests of highway safety and to prevent flooding</p>
9.	<p>Prior to the commencement of the development, due to the sensitive end-use of the development (residential housing with gardens), a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures, shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The report should include 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.</p> <p>The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report. Reason: 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).</p>
10.	<p>Any application for reserved matters shall be accompanied by the following details:</p> <ol style="list-style-type: none"> a) Details of the colour, form and texture of all external facing materials to the proposed dwellings b) Details of the colour, form and texture of all hard ground- surfacing materials. c) Location, design and materials of all fences, walls and other boundary treatments. d) The finished floor level of the proposed dwellings and any detached garages <p>The development thereafter shall be completed in accordance with the approved details. Reason: In the interests of the visual amenities and character of the area</p>
11.	<p>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</p>
12.	<p>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</p>
13.	<p>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</p>
14.	<p>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 development shall only be carried out in accordance with the approved Carbon Reduction Statement.</p>

	Reason: In the interests of minimising the environmental impact of the development									
15.	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 dwelling(s), 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.									
16.	The development shall be limited to no more than 2 new dwellinghouses and the remodelling of the existing dwelling (Ricmarlo) properties and shall be carried out in accordance with the following plans: <table border="0"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Topographical Land Survey</td> <td>S13/651</td> <td>16th May 2014</td> </tr> <tr> <td>Proposed Site Layout (Location Plan)</td> <td>13/095/P01</td> <td>16th May 2014</td> </tr> </tbody> </table> Reason: For the avoidance of doubt and in the interests of proper planning	Title	Drawing Reference	Received date	Topographical Land Survey	S13/651	16th May 2014	Proposed Site Layout (Location Plan)	13/095/P01	16th May 2014
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17.	Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system. Reason: To secure proper drainage									
18.	Any application for reserved matters shall be accompanied by full details of the remodelling works to the existing dwelling, Ricmarlo. Reason: In the interests of clarity									
19.	Any application for reserved matters shall include details of the access arrangements, highway visibility splays, parking, servicing and turning areas. The development shall thereafter be constructed in accordance with the approved details. Reason: In the interest of the highway safety.									
20.	The mitigation measures in respect of bats and their habitats, included within the submitted Ecological Survey and Assessment (dated June 2014), shall be implemented in full and incorporated into the design of the new dwellinghouses. Prior to the commencement of the development a licence from Natural England for the derogation of the protection of bats under the Habitats Directive shall be submitted to and approved in writing by the Local Planning Authority. Reason: to ensure the continued protection of bats and their habitats and to maintain a favourable conservation status of the species									