

<b>Item 3b</b>	<b>14/00332/OUT</b>
<b>Case Officer</b>	<b>David Stirzaker</b>
<b>Ward</b>	<b>Coppull</b>
<b>Proposal</b>	<b>Erection of 3 no. dwellings</b>
<b>Location</b>	<b>Land Between Wheatsheaf Hotel And 2, Chapel Lane, Coppull</b>
<b>Applicant</b>	<b>Inglenorth Contracting Ltd</b>
<b>Consultation expiry:</b>	<b>3<sup>rd</sup> June 2014</b>
<b>Decision due by:</b>	<b>8<sup>th</sup> August 2014 (Extension agreed to 13<sup>th</sup> February 2015)</b>

## **UPDATE**

Members resolved to approve this application at Development Control Committee on 5<sup>th</sup> August 2014 subject to an associated legal agreement to secure a commuted sum payment for the provision of off-site public open space. However the formal decision notice has not yet been issued and since the changes introduced by the National Planning Practice Guidance (NPPG) in November last year, the Council's revised position is that all applications affected by the change to NPPG are taken to Chair's Brief for further consideration.

The NPPG was updated by Government on 28 November 2014 in respect of contributions for affordable housing and tariff style planning obligations. These measures were introduced to support small scale developers by reducing what are in the Government's view disproportionate burdens on developer contributions. The updated guidance confirms that such contributions should not be sought from small scale and self-build development. In particular, the guidance states that contributions should not be sought from developments of 10 units or less, and which have a maximum combined gross floorspace of no more than 1000m<sup>2</sup>.

This development is for three dwellings which is below the 10 unit threshold and also has a gross floorspace of less than 1000m<sup>2</sup>. In the case of this development there is no evidence at this time, which is directly related to the development, to seek a contribution towards public open space contrary to the national guidance.

The officer's original report is set out below and Members will note that the recommendation previously was to approve the application subject to a legal agreement. However since the NPPG changes this has now been revised to APPROVE. In all other respects the assessment of the proposal is unchanged and there are no other amendments to the report.

This application was taken to Development Control Committee on 5<sup>th</sup> August 2014 where it was considered that as there are identified open space/ play space deficits in this part of the Borough, and since the applicant has not agreed to enter in a legal agreement to secure a commuted sum towards provision, the Development Control Committee should determine whether a contribution towards public open space is necessary. The identified deficits are set out in the body of the report.

Members need not rehearse the arguments aired when it was first agreed by the Council that the matter could be approved. Any discussion should instead concentrate on the issues

regarding imposition or not of tariff style obligations in s.106 agreements raised by the Ministerial Statement dated 28 November 2014. However if there have been material changes in relation to the application site since it was agreed that the application could be approved which might cause the decision to be revisited members are encouraged to discuss these issues.

**Recommendation      Approve**

## Representations

**Coppull Parish Council** comments draw the Council's attention to the land being allocated in the Local Plan as "Open Space"

**Two representations have been received.**

### **Objection**

Two objections have been received which are summarised as follows: -

- The occupier of 2 Chapel Lane states that the side of their bungalow is next to the land where the proposed houses are to be built and on that side of the bungalow there are windows to a kitchen, dining room, bathroom and bedroom windows. If houses are built all of their privacy will disappear as well as most of their daylight.
- An objection is raised by another neighbour in relation to the erection of the 2 storey house due to the impact this will have on the amount of light reaching their house and garden.
- It will also mean a lack of privacy.
- The buildings on that side of Chapel Lane are all bungalows so a house will look totally out of character there.
- Also the close proximity will mean a lot of noise if the construction goes ahead.

## Consultees

<b>Consultee</b>	<b>Summary of Comments received</b>
Coal Authority	No objections and no specific remediation measures are required as the submitted Coal Mining Risk Assessment is considered to be satisfactory
Waste & Contaminated Land Officer	Recommends a condition requiring a Desk Study and then a further more intrusive ground investigation if the Desk Study deems necessary to identify contamination. Remediation measures may also be necessary if contamination is found to be present on site.
Environmental Health Officer	Initially raised concerns about the proximity of the northernmost semi-detached property to a proposed extraction system in the pub as part of works permitted by 12/00920/FUL, However, the agent has confirmed this will no longer be installed so on this basis, the Environmental Health Officer no longer has concerns with the development.
LCC (Highways)	LCC (Highways) advise that the application should be resisted based on each dwelling only having an single off road parking space when 2 no. are required to meet the parking standards.
Planning Policy	Planning Policy advise that the site is allocated as proposed play space in the adopted Local Plan but is not

	<p>allocated in the emerging Chorley Local Plan as open space. The development therefore falls to be considered against Policy HW2 of the emerging Chorley Local Plan and it is considered the proposal does not contravene Policy HW2. Planning Policy also draw attention to the fact that Coppull is an Urban Local Service Centre under Policy 1 of the Central Lancashire Core Strategy where some growth is encouraged. Planning Policy do not raise objections to the application and the comments are fully detailed in the 'Principle of Development' section of this report.</p>
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### Proposed development

1. This outline application seeks planning permission for the erection of 3 no. dwellings on land to the southeast of the Wheatsheaf Pub which is located on the corner of Spendmore Lane and Chapel Lane. The application site comprises land that was last used as a bowling green and part of the car park associated with the pub. The site is in the settlement of Coppull.
2. The proposed dwellings will front onto Chapel Lane and comprise of a detached dormer bungalow adjacent to 2 Chapel Lane and a pair of semi-detached two storey dwellings adjacent to the pub. The site plan indicates that each dwelling will have 2 no. off road car parking spaces.
3. The application site comprises a bowling green and part of the car park associated with the pub. It is evident that the bowling green has not been in use for some time. There are no trees or hedgerows on the site which is enclosed by an existing post and panel fence. The other part of the site comprises of a tarmac hardstanding.

### **Assessment**

#### **National Planning Policy:**

4. The relevant national planning policy guidance/statements are as follows:
  - National Planning Policy Framework (the Framework)
5. The Framework states:

*'Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The National Planning Policy Framework must be taken into account in the preparation of local and neighbourhood plans, and is a material consideration in planning decisions. Planning policies and decisions must reflect and where appropriate promote relevant EU and statutory requirements.'*
6. The Framework confirms that for 12 months from the day of publication (27th March 2012), decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework.
7. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
8. From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:
  - the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
  - the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
  - the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
9. At the heart of Framework is the presumption in favour of sustainable development which is established as the 'golden thread' running through the plan and decision making processes. For decision making this means:
  - Approving development proposals that accord with the development plan without delay; and
  - Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole; or
- Specific policies in the Framework indicate development should be restricted.

### **The Development Plan**

10. The development plan comprises the saved policies of the Adopted Chorley Borough Local Plan Review 2003, the Adopted Central Lancashire Core Strategy (2012) and relevant adopted Supplementary Planning Documents.
11. The starting point for assessment of the application is Section 38 of the Planning and Compulsory Purchase Act 2004 that states if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.

### **Adopted Chorley Borough Local Plan Review**

12. The Framework confirms that for 12 months from the day of publication of the Framework (27th March 2012), decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with the Framework. The Local Plan Policies were adopted in 2003 and saved by the Secretary of State in 2007 which was in accordance with the Planning and Compulsory Purchase Act 2004. The Framework also confirms that from the day of publication, decision-takers may also give weight to relevant policies in emerging plans.

13. The relevant policies of the Local Plan are as follows:

- **GN1 – Settlement Policy – Main Settlements**
- **GN5 - Building Design and Retaining Existing Landscape Features and Natural Habitats**
- **HS3 – Housing Density**
- **HS4 – Design & Layout of Residential Developments**
- **HS6 – Housing Windfall Sites**
- **TR4 – Highway Development Control Criteria**
- **LT13 – Playspace Allocations**
- **LT14 – Public, Private, Educational and Institutional Playing Fields, Parks and Other recreational Open Space**

### **Supplementary Planning Guidance**

- Design (which includes the Spacing Standards for new residential developments)

### **Central Lancashire Core Strategy July 2012**

14. The adoption of the Core Strategy (July 2012) postdates the Framework and as such is wholly consistent with the Framework. The following Core Strategy Policies are of relevance to this application:

- **Policy 1 - Locating Growth**
- **Policy 4 – Housing Delivery**
- **Policy 5 – Housing Density**
- **Policy 17 – Design of New Buildings**
- **Policy 24 – Sport and Recreation**
- **Policy 27 – Sustainable Resources and New Development**

### **Supplementary Planning Documents**

- Central Lancashire Design Guide (SPD) October 2012

### ***Emerging Policy***

15. Chorley Local Plan 2012-2026. The Inspector has issued her Partial Report on her findings into the soundness of the Chorley Local Plan which is a material consideration in the consideration of any planning application.
16. 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.
17. 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.”*
18. The Council accepted the Inspector’s modifications for Development Management purposes at its Executive Committee on 21<sup>st</sup> November 2013. It is therefore considered significant weight can be given to the policies and proposals of the emerging Local Plan, as amended by the main modifications. The Policies relevant to this application are as follows:
- V1: Settlement Areas
  - 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
  - HW2: Protection of Existing Open Space, Sport and Recreation Facilities

#### Principle of the Development

19. The application site falls within the settlement area of Coppull under emerging Chorley Local Plan Policy V1 although it does not have any specific allocation. It is evident that whilst the site was previously used as a bowling green, it has not been used for this purpose for some time and as such the site is not allocated as open space in the emerging Local Plan.
20. In the adopted Local Plan, the site is allocated as proposed playspace under Policy LT13 and this suggests that the site was not in use as open space at the time the emerging Chorley Local Plan was prepared.
21. In the emerging Chorley Local Plan, Policy HW2 protects land and buildings currently or last used as open space and requires alternative provision to be made unless the proposal satisfies all of criteria b) to e). The text of Policy HW2 is set out as follows: -
- Land and buildings currently or last used as, or ancillary to, open space or sports and recreational facilities will be protected unless:
- a) Alternative facilities of an equivalent or enhanced standard are provided nearby before the existing facilities cease to be available; or
  - b) It can be demonstrated that the loss of site would not lead to a deficit of provision in the local area in terms of quantity and accessibility; and
  - c) The site is not identified as being of high quality and/or high value in the Open Space Study; and
  - d) It can be demonstrated that retention of the site is not required to satisfy a recreational need in the local area; and
  - e) The site does not make a significant contribution to the character of an area in terms of visual amenity.

22. The proposal is therefore assessed against these criteria as follows: -
- b) The site is not currently in use as open space and does not fall within any of the typologies of open space identified in Policy HS4A of the emerging Local Plan, it would therefore not lead to a deficit of provision in the area.
  - c) The site was not included in the Open Space Study as it is not in use as open space therefore its quality and value has not been assessed.
  - d) Retention of the site is not considered necessary to satisfy a recreational need in the area as it has not been in use for many years.
  - e) The site does not make a significant contribution to the character of the area, given the state of the site at the present time.
23. It is therefore considered that the proposed development of the site meets all of criteria b) to e) hence the redevelopment of this site is acceptable without the need for alternative provision under criterion a), subject to other policies and material considerations.
24. A small part of the site also encompasses part of the existing car park serving the pub.
25. It should also be noted that Core Strategy Policy 1: Locating Growth identifies Coppull as an Urban Local Service Centre where some growth and investment is encouraged. Based on this and the above factors, the 'principle' of residential development on the application site is therefore considered to be acceptable subject to the other material considerations set out in this report.

#### Impact on neighbours

26. The nearest residential property is located to the southeast of the site and this comprises 2 Chapel Lane, a semi-detached bungalow. The finished floor level of the proposed detached bungalow on plot 3 is proposed to be just below the drive level of 2 Chapel Lane. The side elevation of 2 Chapel Lane incorporates windows to habitable rooms and the occupier of this property has raised an objection to the application citing loss of privacy and daylight as a result of the development. The proposed bungalow adjacent to this property would be positioned 4.9m from the side elevation of 2 Chapel Lane. The outlook from the aforementioned windows in this property will be onto the single storey side elevation which incorporates the hipped roof of the bungalow which extends to a ridge which is at a right angle to the boundary and has a height of approximately 5.7m so the hipped roof slopes away from the boundary. The other pitched roofs over the bungalow are located towards the boundary with the next plot and these roofs have eaves heights of approximately 2.5m and ridge heights of approximately 4.4m. The main impact will therefore stem from the hipped roof. However, whilst this roof has an overall height of approximately 5.7m, it extends to a point when seen from 2 Chapel Lane and given it slopes away from the boundary and starts approximately 4.9m from 2 Chapel Lane, it is not considered that the bungalow will have a detrimentally harmful impact on outlook from the habitable room windows in the side elevation of 2 chapel Lane nor will it have an overbearing impact. In terms of light, the proposed bungalow is located to the northwest of 2 Chapel Lane so given the sun rises in the east and sets in the west following a clockwise path, the bungalow will not lead to a detrimental loss of direct light nor will it cause detrimental overshadowing for the occupier/s of 2 Chapel Lane.
27. There are residential properties to the rear (southwest) of the site which back onto it (13 and 15 Clayton Gate). These properties are semi-detached bungalows and 13 Clayton Gate has a rear dormer extension which contains habitable room windows. The distance between these windows and the dormer window in the proposed bungalow is approximately 27m which is 6m in excess of the require 21m standard. The distance between the nearest first floor rear window in the proposed semi-detached dwellings, which are offset from the dormer window in 13 Clayton Gate, is approximately 29m.
28. Whilst 13 and 15 Clayton Gate have also been extended at ground floor, with flat roofed single storey extensions and in the case of 13 Clayton Gate a conservatory, which extends to approximately 6.3m from its original rear elevation, there are no interface standards stipulated in the Spacing Standards between first floor habitable room windows



and ground floor habitable room windows. However, the dormer window in the proposed bungalow will still be approximately 21m from the rear elevation of the conservatory extension to 13 Clayton Gate so the relationship is considered acceptable. Also, the first floor dormer window in the bungalow would be sited approximately 12.5m from the boundary it faces with 13 and 15 Clayton Gate, which is 2.5m in excess of the normal 10m standard required and the first floor windows in the rear elevation of two storey semi-detached dwellings would be approximately 13m from the boundary with 13 Clayton Gate, which again exceeds the 10m standard required.

29. In terms of the two storey properties facing the site, the first floor windows in the proposed two storey dwellings would be in excess of the 21m interface required by the Spacing Standards. With regards to the pub, the first floor appears to be living accommodation. However, the windows nearest the boundary facing the two storey dwelling proposed on plot 1 do not serve habitable rooms so the development will not be of detriment to the living conditions of the occupier/s of the living accommodation above the pub.

#### Levels

30. Given the last use of the site as a bowling green, there are no significant level differences across it and the proposed finished floor levels (FFL's) of the dwellings are proposed to be set just above the existing ground levels shown on the submitted topographical survey. An indicative streetscene drawing has also been submitted which shows the dwellings in relation to 2 Chapel Lane and the pub and this confirms that the proposed FFL's of the dwellings does not give rise to any concerns. The proposed levels are therefore considered to be acceptable and a condition is recommended requiring the FFL's of the dwellings to be in accordance with those stipulated on the submitted plans.

#### Design & Scale

31. The application has been submitted in outline format with all matters reserved, it does include an indicative site layout plan, elevations and floor plans which are submitted for the purposes of demonstrating that the site can accommodate the proposed development in a satisfactory manner. These indicative plans detail the provision of a detached dormer bungalow and a pair of two storey semi-detached dwellings.
32. The locality comprises a mix of semi-detached bungalows and two storey semi-detached properties. The bungalows are located on the application site side of the road and the two storey dwellings face the site. The rear of the site is also characterised by semi-detached bungalows (Clayton Gate) whilst the pub itself is a substantial two storey building.
33. The proposed bungalow would be sited adjacent to 2 Chapel Lane which is the last semi-detached bungalow on Chapel Lane before the application site. The proposed bungalow is more substantial in scale but it does pick up some of the design features of the bungalows by incorporating a hipped roof and a projecting element to the front which presents a gable to Chapel Lane. The submitted streetscene drawing shows that the ridge height of the proposed bungalow will be just above that of 2 Chapel Lane given it is to be set at a lower level. The two storey dwellings are proposed between the bungalow and the pub and the ridge height of these properties will be approximately 1.8m higher. After this, the pub roof is higher again so in the streetscene, there is a gradual step up in height from 2 Chapel Lane to the pub. As stated, there are two storey properties opposite the site so given the mix of scale types, it is considered that the bungalow and two dwellings as laid out on the plans will not cause detrimental harm to the character and appearance of the Chapel Lane streetscene subject to satisfactory final design and facing materials.
34. The scale and levels details set out on the indicative plans are therefore recommended to be the subject of a planning condition which requires that the reserved matters application is submitted in accordance with these details to ensure the final development form on the site is satisfactory. Subject to this, there are no objections to the application on design and scale grounds.

### Traffic & Parking

22. As stated, LCC (Highways) originally expressed concerns in relation to this application based on the level of car parking provision for the proposed dwellings in that only one was proposed for each dwelling. The applicant has submitted an amended plan showing that each dwelling will now have 2 no. spaces within its curtilage thus addressing the LCC (Highways) concern.
23. Also, the amended site plan demonstrates that the retained car park serving the pub will have space for 28 no. vehicles which means that the level of car parking for the pub is in accordance with the standards in the Chorley Local Plan.
23. LCC (Highways) have not raised any objections to the access and traffic generation so on the basis of the amended site plan which demonstrates that the dwellings and the pub will have sufficient off road car parking, there are no objections to the application from a traffic and parking perspective.

### S106 & Community Infrastructure Levy (CIL)

24. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17<sup>th</sup> September 2013. Therefore, the commuted sum requirements are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD and are set out as follows: -

25. Amenity Greenspace

Emerging Local Plan Policy HS4A sets a standard of 0.73 hectares per 1,000 population.

There is currently a deficit of provision in Coppull 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.

26. 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 Coppull in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the settlement is therefore not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (sites 1360.1 – Brookside, 1363.1 – Longfield Ave). A contribution towards improvements to these sites is therefore required from this development. The amount required is £134 per dwelling.

27. 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 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.

28. Natural and Semi-Natural Greenspace

There is no requirement to provide new natural/semi natural greenspace on-site within this development.

The site is within the accessibility catchment (800m) of an area of natural/semi-natural greenspace that is identified as being low quality in the Open Space Study (site 1728 – Reservoir Mill Lane), a contribution towards improving this site is therefore required. The amount required is £557 per dwelling.

29. Allotments

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 allotments that are identified as being low quality and/or low value in the Open Space Study (sites 1647 – Chapel Lane, 1644 – Whittam Road, Chorley, 1646 – Worthy Street, Chorley).

The site is also within the accessibility catchment (10 minutes' drive time) of a proposed new allotment site at Land at Sylvesters Farm, Euxton (HW5.2). A contribution towards new allotment provision or improving existing provision is therefore required from this development. The amount required is £15 per dwelling.

30. 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.

31. The total commuted sum requirement is therefore as follows: -

Amenity greenspace	= £420
Equipped play area	= £402
Parks/Gardens	= £0
Natural/semi-natural	= £1,671
Allotments	= £45
Playing Pitches	= £4,797
<b>Total</b>	<b>= £7,335</b>

32. With regards to CIL, the total floor space of the dwellings of 312m<sup>2</sup> equates to a CIL charge of £20280.

Contaminated Land & Coal Mining

33. The Council's Waste and Contaminated Land Officer recommends a condition requiring an initial desk study to identify any potential sources of contamination based on historic data and maps. Depending on the results of this, a further intrusive ground investigation may be necessary along with measures to remediate the land to make it safe for residential development

35. The application site is in a Coal Mining Development Referral Area and the application includes a Coal Mining Risk Assessment which has been referred to the Coal Authority for consideration. Based on this, the Coal Authority advise that the Coal Mining Risk Assessment has been informed by an appropriate range of sources of information and concludes that the site is underlain by 49m of superficial soils and there is therefore no potential for shallow mine workings to affect the proposed development. Accordingly, no specific remedial measures are recommended to address coal mining legacy by the Coal Authority.

Sustainability

36. In line with Policy 27 of the Core Strategy, the dwellings will be required to be constructed to meet the relevant code level 4 of the Code for Sustainable Homes and level 6 if commenced from January 2016 onwards. The standard conditions are recommended to secure this.

Waste Storage & Bin Collection

36. There would be adequate storage space within the curtilage of each property for bins and on collection days, they can be placed kerbside on Chapel Lane.

**Overall Conclusion**

37. The 'principle' of the proposed residential development on this site is considered to be an acceptable one given the development complies with Policy HW2 of the emerging

Chorley Local Plan whilst Policy 1 identifies Coppull as an Urban Local Service Centre where some growth and investment is encouraged.

38. In terms of neighbour amenity, it is not considered that the proposed dwellings will have a detrimental impact on the living conditions of the occupiers of the nearest residential properties. The scale parameters and proposed levels are recommended to be the subject of a condition to ensure the reserved matters application is based on these to ensure a satisfactory form of development in the streetscene.
39. In terms of the initial concerns with car parking, these have also been addressed and the level of car parking proposed for the dwellings, and that retained for the pub, is acceptable.

**Planning Policies**

40. 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.

**Planning History**

Reference	Description	Decision	Date
75/010238/ADV	Illuminated Sign	Consent Granted	09.02.1976
84/00612/FUL	Extending ladies toilets and erection of canopy over main entrance	Permitted	23.10.1984
97/00604/OUT	Outline application for the erection of one pair of semi-detached houses with garages	Refused	08.10.1997
12/00920/FUL	Single storey extensions to public house to form new customer toilets & new front porch	Permitted	12.11.2012

### Suggested 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><i>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.</i></p>
2.	<p>All dwellings 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.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development</i></p>
3.	<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.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development</i></p>
4.	<p>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.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
5.	<p>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.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>
6.	<p>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 plan(s)) shall have</p>

	<p>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.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
7.	<p>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.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
8.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted as part of the reserved matters application. 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.</p> <p>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.</p> <p><i>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.</i></p>
9.	<p>Prior to the first occupation of the dwellings hereby permitted, the car parking spaces and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p><i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas</i></p>
10.	<p>Due to the proposed sensitive end-use (residential housing with gardens), the development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures.</p> <p>The report should include an initial desk study, site walkover and 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.</p> <p><i>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).</i></p>																																							
11.	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the dwellings 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.</p> <p><i>Reason: In the interests of highway safety and to prevent flooding</i></p>																																							
12.	<p>The outline planning permission hereby granted is only for the erection of a detached dormer bungalow and a pair of two storey detached dwellings and the final details of the dwellings submitted as part of a reserved matters application shall be in strict accordance with the roof heights and finished floor levels detailed on the approved plans.</p> <p><i>Reasons: To define the permission and to ensure that the final design of the dwellings is consistent with those assessed as part of this outline planning application.</i></p>																																							
13.	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="1" data-bbox="367 1093 1353 1787"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>01/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>Site Plan</td> <td>02/09 Rev A</td> <td>7<sup>th</sup> May 2014</td> </tr> <tr> <td>House Type A Ground &amp; First Floor Plan</td> <td>03/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type A Front &amp; Side Elevation</td> <td>04/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type A Rear &amp; Side Elevation</td> <td>05/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type B Ground Floor Plan</td> <td>06/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type B Proposed Loft Floor Plan</td> <td>07/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type B Front &amp; Side Elevation</td> <td>08/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>House Type B Rear &amp; Side Elevation</td> <td>09/09</td> <td>26<sup>th</sup> March 2014</td> </tr> <tr> <td>Topographical Land Survey</td> <td>S14/203</td> <td>7<sup>th</sup> May 2014</td> </tr> <tr> <td>Overall Development Plan</td> <td>10/09</td> <td>2<sup>nd</sup> July 2014</td> </tr> <tr> <td>Proposed Street Scene Elevation</td> <td>11/09</td> <td>2<sup>nd</sup> July 2014</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Title	Drawing Reference	Received date	Location Plan	01/09	26 <sup>th</sup> March 2014	Site Plan	02/09 Rev A	7 <sup>th</sup> May 2014	House Type A Ground & First Floor Plan	03/09	26 <sup>th</sup> March 2014	House Type A Front & Side Elevation	04/09	26 <sup>th</sup> March 2014	House Type A Rear & Side Elevation	05/09	26 <sup>th</sup> March 2014	House Type B Ground Floor Plan	06/09	26 <sup>th</sup> March 2014	House Type B Proposed Loft Floor Plan	07/09	26 <sup>th</sup> March 2014	House Type B Front & Side Elevation	08/09	26 <sup>th</sup> March 2014	House Type B Rear & Side Elevation	09/09	26 <sup>th</sup> March 2014	Topographical Land Survey	S14/203	7 <sup>th</sup> May 2014	Overall Development Plan	10/09	2 <sup>nd</sup> July 2014	Proposed Street Scene Elevation	11/09	2 <sup>nd</sup> July 2014
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14.	<p>All windows in the first floor of the northwest and southeast facing elevations and roof planes of the dwellings and bungalow hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p>																																							

	<p><i>Reason: In the interests of the privacy of occupiers of neighbouring property.</i></p>
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