

Representations

Parish Council – no representations have been received
Not specified
Total No. received: 1
<ul style="list-style-type: none">The application covers land that is shown on the land registry documents as not belonging to the applicant

Consultees

Consultee	Summary of Comments received
Council's Waste and Contaminated Land Officer	No objection subject to a condition
Council's Tree Officer	Has noted that trees T20 and T21 would have to be removed to accommodate Plot 1. Recommend these trees be removed and replacements planted on site
Greater Manchester Ecology Unit	No objection subject to conditions
Environment Agency	No objection subject to conditions

Assessment

Proposed Development and Site

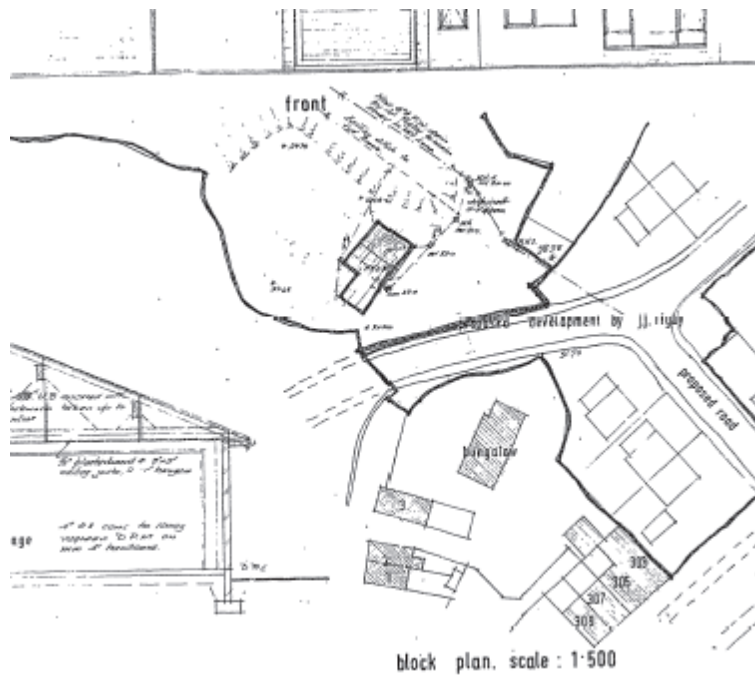
1. The site is located on a cul-de-sac within a predominantly residential area. There is an existing detached two storey dwellinghouse adjacent to the access to the site that is currently being renovated and extended (permission 15/00523/FUL) and which is set within a large curtilage. The application relates to the land outside the residential curtilage of this property which forms a gap between the property itself, Ricmarlo, and the adjacent dwellings to the north west.
2. The proposed development involves the erection of three detached dwellinghouses on land to the rear of the existing dwelling with a new accessway off Preston Nook.
3. Outline planning consent has previously been granted to erect up to 3 dwellings on the site (14/00550/OUT). There is also both outline and full consent for a detached dwelling adjacent to Ricmarlo.

Principle of the Development

4. Outline planning permission has previously been granted on this site for three dwellinghouses and as such the acceptability of the principle of the development is established.
5. The site is located within the settlement area of Ecclestone as identified within the Adopted Local Plan. The 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 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.

Lawful use of the application site

6. It is not considered that this site forms part of the residential curtilage of Ricmarlo as from aerial photos it is clear that this site, which has always been at a lower land level than the formal garden area associated with Ricmarlo, was until recently densely vegetated and separate from the formal curtilage associated with Ricmarlo.
7. Planning permission was granted for the property in July 1973 (5/5/9928) which detailed the whole site but specifically stated, by condition, that the permission relates only to one dwelling sited as shown on the 1:500 block plan. This is as follows:



8. As set out above the permission for the dwelling only related to the area of land detailed which is considered to be the garden area associated with the dwelling. The remainder of the land, subject to this planning application, although owned by the applicant has not been used as garden.
9. Three aerial photographs were provided, dated 2000, 2005 and 2009, as part of the outline application at this site which demonstrated that the garden of Ricmarlo has been maintained whereas the land to the rear has not.
10. As such this site represents undeveloped greenfield land within the settlement of Ecclestone. However extensive works have recently been undertaken to the land including tree removal. These works have created a significant level difference between the residential curtilage and the adjacent land.

Levels

11. There are significant level changes across the site and the edge of the residential curtilage slopes down steeply to the application site (with a level difference of approximately 5.5 metres from the bottom of the banking to the garden level). As part of the works being undertaken to Ricmarlo and as part of the planning permission for the detached dwelling adjacent to Ricmarlo it is proposed to terrace the rear garden areas down to create areas of usable garden on three levels. The lowest level will be approximately 1.85m higher than the finished floor level of plot 3 (the nearest plot to the garden areas) and the finished floor level of Ricmarlo will be approximately 4m higher than the finished floor level of plot 3. The level of plot 3 reflects the finished floor levels envisaged as part of the outline consent at this site.
12. Plot 1 is located within the south western corner of the site and is detailed with a finished floor level of approximately 1 metre higher than the current ground level.
13. The proposed access road will slope down into the site dropping by approximately 7.17 metres from the existing road level to the end of the accessway.

Impact on the neighbours

14. The immediate neighbours to the site are Twisted Chimney, 1 Ince Lane, 12 Ince Lane, Ince Cottage, 16 Enfield Close, Ricmarlo, Woodview and the approved new dwelling adjacent to Ricmarlo.

15. Twisted Chimney is a large detached dwellinghouse which was granted planning permission in May 2000 and has a finished floor level of approximately 30.07. This is approximately 4.5m higher than the suggested road level and 6.47m higher than plot 1. The elevated land level along with dense vegetation at the boundary ensures that the proposal will not create loss of privacy to the detriment of the amenities of the residents of Twisted Chimney.
16. Additionally the orientation of the proposed dwellings ensures that any private amenity space associated with the new dwellings will not be overlooked from Twisted Chimney .
17. 1 Ince Lane and Ince Cottage are a pair of semi-detached dwellings adjacent to the site. The finished floor level is approximately 30.84 which is approximately 3.6m higher than the indicated road level in this part of the site. As there is no housing development proposed within this part of the site it is not considered that this relationship will adversely impact on the existing or future residents.
18. 12 Ince Lane is located to the west of the application site however this property is not visible from the application site given the dense vegetation which is shown as being retained and as such it is not considered that the proposals will adversely impact on the occupiers of 12 Ince Lane.
19. 16 Enfield Close is located close to the indicated access junction away for the proposed new dwellings and as such it is not considered that the proposed development will adversely impact on the amenities of the occupiers of 16 Enfield Close.
20. Ricmarlo is the site owner's property fronting onto Preston Nook. Plot 3 is located to the rear of Ricmarlo. The side elevation of plot 3 is approximately 17.4m from the main rear elevation of Ricmarlo and approximately 4m lower in terms of finished floor levels. Given the level difference there would normally be a requirement to maintain 26 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 this distance is not maintained, however given the significant level difference, Ricmarlo will not face a blank gable wall and will view half of the first floor level and the roof of plot 3. Also taking into account the orientation of the proposed property (to the west of the existing dwelling) the space retained between the two properties is considered to be acceptable.
21. The proposed dwelling on plot 3 originally included windows in the side elevation facing the rear garden area of Ricmarlo, however the first and second floor windows have been removed from the proposal. The ground floor window serves a family room which will face the retaining wall along the garden boundary of Ricmarlo with only part of the garden visible from the top of the window which will not result in loss of privacy.
22. Ricmarlo is currently being extended in the form of a part single storey/ part two storey side extension. The two storey extension is sited approximately 18m from the garden boundary with plot 3, the single storey element is located approximately 12.6m from the garden boundary and the approved scheme includes a rear first floor balcony which is located approximately 15.2m from the garden boundary with plot 3. Given the level difference there is a requirement to provide 24m from habitable room windows to rear garden boundaries which is not achieved in respect of this site. However the works to the dwelling are well advanced and any future occupiers of plot 3 will be fully aware of the relationship when purchasing the property. It is also important to note that this relationship reflects the approved outline application at this site. As such in this case the relationship is considered to be acceptable.
23. The recently approved detached dwellinghouse (15/00656/FUL) will be located to the north east of plot 3 and will face the front garden area and front part of plot 3. The approved dwelling will be approximately 3.6m higher than the proposed dwelling. Given the siting of the approved and proposed dwellinghouses, it is not considered that there will be any loss of amenity even taking into account the level changes.

24. Woodview is an existing detached bungalow which neighbours Ricmarlo. Plot 3 backs onto the garden area of Woodview. Plot 3 has a finished floor level which is approximately 4.13m lower than Woodview and as with the other properties within this area the gardens slope down to Syd Brook. As such there is no significant land level change within the location of the proposed house when compared to the adjacent land.
25. At its closest point plot 3 is sited approximately 6m from the boundary of the application site although the boundary is unusual as it is not straight. This does not meet the required 10m spacing standard, however at its closest point plot 3 is sited approximately 12m from the edge of the existing hedgerow which delineates the garden boundary of Woodview which exceeds the Council's required 10m window to garden distance. It is noted that rear dormer windows are proposed to accommodate bedrooms in the roof however the proposed dormers are sited approximately 14m from the existing hedgerow. Although the required 10m is not maintained in respect of the application site it is considered that in excess of 10m is maintained to the usable private rear garden area of Woodview. The distances maintained along with the dense vegetation in this part of the site ensures that the proposed development will not result in overlooking to the detriment of the neighbours amenities.
26. Plot 2 has a bedroom window within the roof space which will overlook the garden area of plot 3 however as this isn't the only source of light into this room then this window can be obscurely glazed. This obscure glazing will also mean there is no loss of amenity from plot 2 in respect of the garden area of Woodview.

Flooding

27. The southern part of the site is located within Flood Zone 3 due to the fact that Syd Brook is sited adjacent to the site. The majority of this part of the site is left undeveloped although it is noted that part of the gardens to plots 1 and 2 will be sited within the 1 in 1000 year flood risk event boundary.
28. In this regard the Environment Agency has been consulted as the application is supported by a Flood Risk Assessment. Flood Zone 3 is defined as having a high probability of flooding within the Framework. The Environment Agency has concluded that the development would be safe for its lifetime without increasing flood risk elsewhere. The Environment Agency has no objection subject to conditions.

Highways and Traffic

29. It is noted that the access road would not be adopted however it is possible to have a private access road to serve three properties as proposed. The access road would slope down into the site with a level change of approximately 7.17 metres. Given the length of road proposed it is considered that the gradient will not result in an unsuitable access road however there may be issues in inclement weather. As this access road will be privately managed this issue can be addressed by condition.
30. Although no comments have been received from the Highway Authority it is noted that no objections were received from the Highway Authority in respect of the outline application at this site. Given the similarities of the proposed scheme and the approved scheme it is not considered that the proposals will have a highway safety impact.
31. All of the dwellings proposed are 5 bedroom properties which require 3 off road parking spaces each in accordance with Policy ST4 of the Adopted Local Plan. All of the dwellings have a double garage which is large enough to accommodate 2 cars and driveway space sufficient for additional parking. As such the parking provision is considered to be acceptable.

Trees

32. The site is bordered by dense mature vegetation and in this regard the application is supported by a Tree Survey Report. The report identifies no trees of high or exceptional value, but a number of trees are deemed to have moderate value.

33. 36 individual trees, 6 groups of trees and 1 hedgerow have been surveyed. 17 individual trees and 1 group of trees were categorised as retention category B (which are trees of moderate quality with a remaining life expectancy of at least 20 years). The remainder of the individual trees, groups of trees and hedgerow were 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. All of the higher quality trees are located on the periphery of the site and these are detailed to be retained. A TPO (TPO 4 (Eccleston) 2014) was placed on the trees identified as being retention category B. Two of the protected trees are located within the build area of plot 1 and are unlikely to be retained as part of the development. To mitigate for the loss a replacement tree planting condition is attached to the recommendation.

Ecology

35. Due to the extensive tree cover at the site and the proximity of Syd Brook the application is supported by an Ecological Survey and Assessment. This has been reviewed by the Greater Manchester Ecology Unit and the following comments have been made.

Birds

36. The trees, hedgerow and shrubs have the potential to support nesting birds. All birds, with the exception of certain pest species, and their nests are protected under the terms of the Wildlife and Countryside Act 1981 (as amended). The Ecologist recommends that works to trees should not be undertaken in the main bird breeding season (March to July inclusive).

Protection of Wildlife

37. A number of reasonable avoidance measures have been recommended within the report in order to protect any wildlife which may enter the site (5.2.1). The Ecologist has recommended that the method statement be adhered to during the construction and development phase.

Watercourses

38. The Ecologist has recommended that Syd Brook and ditch 1 should be protected during the construction and operational phase of the development. No building materials or surface water run-off should be allowed to enter the brook or ditch. The Ecologist has recommended that mitigation measures (following Environment Agency good practice), should be submitted to and agreed by the council and once agreed implemented in full.

Pond

39. Best practice states that there should be no net loss of ponds therefore if the development is allowed then the existing garden pond should be retained. If this is not possible then the Ecologist has recommended that the pond is moved into the new garden curtilage of the retained property. The movement of the pond should take place in the winter months when it would have the least ecological impact.
40. A small (8m²) garden pond was present on site at the time of the survey in March 2014 within the amenity grassland lawn behind the residential property however this has subsequently been removed from the site and notwithstanding this the pond is outside of the application site.

Trees

41. All trees to be retained on the site should be protected from the development to prevent damage to the root system.

Lighting

42. Artificial lighting can affect the feeding and commuting behaviour of bats. Bats are likely to use Syd brook and the retained trees on site for commuting and foraging. The

Ecologist therefore recommends that any lighting (during construction and post development) be directed away from Syd Brook and any of the retained trees. The Ecologist recommends that prior to the commencement of the development a lighting plan should be submitted to and agreed by the council, once agreed the plan should be implemented in full.

Invasive Species

43. Also present on the site was the invasive Himalayan Balsam, Wall cotoneaster and Montbretia. It is an offence under the terms of the Wildlife and Countryside Act to allow these plants to grow in the wild. The Ecologist has recommended a condition to remove the invasive species from the site.

Biodiversity Enhancement

44. In line with Section 11 of the Framework, the Ecologist has recommended that opportunities for biodiversity enhancement be incorporated into the new development. These should include:
- Bat bricks and/or tubes within the new development
 - Bat boxes
 - Bird boxes
 - Native tree and shrub planting
 - Bolstering of hedgerows
45. 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
46. As set out above the Ecologist is satisfied with the content of the submitted reports and considers that a favourable conservation status can be maintained subject to appropriate conditions. As such it is considered that the above tests have been engaged and satisfied.

Open Space

47. 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 Local Plan Policies HS4A and HS4B and the approach in the SPD.

Amenity Greenspace

48. 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

49. 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

50. 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

51. 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

52. 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

53. 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.

54. The total financial contribution required from this development is £5,262.

Sustainable Resources

55. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 4 which increases to Level 6 on 1st January 2016. However the 2015 Deregulation Bill received Royal Assent on Thursday 26th March 2015 which effectively removes Code for Sustainable Homes. The Bill does include transitional provisions which include:

“For the specific issue of energy performance, local planning authorities will continue to be able to set and apply policies in their Local Plans which require compliance with energy performance standards that exceed the energy requirements of Building Regulations until commencement of amendments to the Planning and Energy Act 2008 in the Deregulation Bill 2015. This is expected to happen alongside the introduction of zero carbon homes policy in late 2016. The government has stated that, from then, the energy performance requirements in Building Regulations will be set at a level equivalent to the (outgoing) Code for Sustainable Homes Level 4. Until the amendment is commenced, we would expect local planning authorities to take this statement of the government’s intention into account in applying existing policies and not set conditions with requirements above a Code Level 4 equivalent.”

“Where there is an existing plan policy which references the Code for Sustainable Homes, authorities may continue to apply a requirement for a water efficiency standard equivalent to the new national technical standard, or in the case of energy a standard consistent with the policy set out in the earlier paragraph in this statement, concerning energy performance.”

56. As such there will be a requirement for the dwelling to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions.

Community Infrastructure Levy

57. 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. This development is CIL liable which is index linked.

Land Ownership

58. Concerns have been raised that part of the application site is outside of the land owners' ownership. The Council's Legal Section have done a land registry search in respect of the application site and confirmed that the proprietors are Paul Thomas Thompson and Sharon Marie Thompson, on which notice has been served by the applicants.

Overall Conclusion

59. In conclusion the proposals are considered to be acceptable. The acceptability of the principle of erecting three dwellings on this site has already been established by the grant of outline planning consent and as such the proposals are recommended for approval subject to the associated legal agreement.

Planning Policies

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 Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
14/00550/OUT	Outline application (all matters reserved) for the erection of up to three detached dwellings.	Approved	August 2014
14/00551/OUT	Outline application (all matters reserved) for the erection of 2 detached dwellings and the remodelling of the existing dwelling.	Approved	August 2014
15/00523/FUL	Erection of first floor side extension, single storey rear extension with balcony above and front porch	Approved	July 2015
15/00656/FUL	Erection of one detached dwellinghouse	Approved	August 2015

Suggested Conditions

No.	Condition
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004</p>
2.	<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.</p> <p>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>
3.	<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 maintaining a favourable conservation status of protected species on the site.</p>
4.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the occupation of the any of the dwellings hereby approved. 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 and proposed finished levels. Landscaping proposals should comprise only native plant communities appropriate to the natural area.</p> <p>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.</p>

5.	<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>
6.	<p>Plants listed on Schedule 9 of the Wildlife and Countryside Act 1981 (as amended), including Himalayan Balsam, Wall cotoneaster and Montbretia, 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>
7.	<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>
8.	<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. In particular, in accordance with the submitted Ecological Assessment, no lighting shall directly illuminate the retained and protected trees and shrubs along the boundaries of the site and there shall be no lighting of the proposed bat habitat e.g. proposed roosting opportunities and proposed planting. 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>
9.	<p>The development hereby permitted shall only be carried out in accordance with the approved FRA (Ref: 738NE Version 1.0, dated 3 April 2014) and the following mitigation measures detailed within the FRA:</p> <p>1. Finished floor levels are set no lower than 22.90 metres above Ordnance Datum (AOD).</p> <p>The mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.</p> <p>REASON: To reduce the risk of flooding to the proposed development and future occupants.</p>
10.	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the properties hereby approved shall be</p>

	<p>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>Reason: In the interests of highway safety and to prevent flooding</p>
11.	<p>Prior to the commencement of the construction of the dwellings hereby approved samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plans and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p>Reason: To ensure that the materials used are visually appropriate to the locality.</p>
12.	<p>The new dwellings hereby approved are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development</p>
13.	<p>Prior to the commencement of the construction of the dwellinghouses details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate</p>
14.	<p>No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.</p> <p>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as</p>

	part of new residential schemes in the interests of minimising the environmental impact of the development.																																	
15.	<p>Prior to the occupation of the dwellinghouses hereby approved 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 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>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</p>																																	
16.	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (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.</p> <p>Reason: In the interests of neighbour amenity.</p>																																	
17.	<p>The development hereby approved shall be carried out in accordance with the following plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Drawing Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location Plan</td> <td>15-060-1-1</td> <td>10th August 2015</td> </tr> <tr> <td>Proposed Floor Plans-Plot 1</td> <td>15-060-7</td> <td>10th August 2015</td> </tr> <tr> <td>Proposed Elevations-Plot 1</td> <td>15-060-8</td> <td>10th August 2015</td> </tr> <tr> <td>Proposed Floor Plans & Elevations- Plot 1</td> <td>15-060-9</td> <td>10th August 2015</td> </tr> <tr> <td>Foundation/ Chamber Plan & Sections</td> <td>15-060-4</td> <td>10th August 2015</td> </tr> <tr> <td>Proposed Site Plan</td> <td>15-060-1</td> <td>10th August 2015</td> </tr> <tr> <td>Proposed Elevations-Plot 3</td> <td>15-060-3 Rev B</td> <td>9th September 2015</td> </tr> <tr> <td>Proposed Floor Plans-Plot 3</td> <td>15-060-2 Rev B</td> <td>9th September 2015</td> </tr> <tr> <td>Proposed Floor Plans-Plot 2</td> <td>15-060-5 Rev A</td> <td>24th August 2015</td> </tr> <tr> <td>Proposed Elevations-Plot 2</td> <td>15-060-6 Rev A</td> <td>24th August 2015</td> </tr> </tbody> </table> <p>Reason: For the avoidance of doubt and in the interests of proper planning</p>	Title	Drawing Reference	Received date	Location Plan	15-060-1-1	10 th August 2015	Proposed Floor Plans-Plot 1	15-060-7	10 th August 2015	Proposed Elevations-Plot 1	15-060-8	10 th August 2015	Proposed Floor Plans & Elevations- Plot 1	15-060-9	10 th August 2015	Foundation/ Chamber Plan & Sections	15-060-4	10 th August 2015	Proposed Site Plan	15-060-1	10 th August 2015	Proposed Elevations-Plot 3	15-060-3 Rev B	9 th September 2015	Proposed Floor Plans-Plot 3	15-060-2 Rev B	9 th September 2015	Proposed Floor Plans-Plot 2	15-060-5 Rev A	24 th August 2015	Proposed Elevations-Plot 2	15-060-6 Rev A	24 th August 2015
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18.	<p>Before any tree felling is carried out full details (including species, number, stature and location) of the replacement tree planting shall have been submitted to and approved in writing by the Local Planning Authority. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling.</p>																																	

	Reason: To safeguard the visual amenity of the area
19.	<p>Opportunities for biodiversity enhancement shall be incorporated into the new development. These should include:</p> <ul style="list-style-type: none"> • Bat bricks and/or tubes within the new development • Bat boxes • Bird boxes • Native tree and shrub planting • Bolstering of hedgerows <p>Prior to the commencement of the construction of the first dwellinghouse hereby permitted full details of the measures to be installed shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be completed in accordance with the approved measures.</p> <p>Reason: to ensure the continued protection of protected and their habitats and to maintain a favourable conservation status at the site</p>
20.	<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>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</p>
21.	<p>No tree/ vegetation removal shall be undertaken during the bird nesting season (March to July inclusive) unless a survey for nesting birds has been first undertaken, submitted to and approved in writing by the Local Planning Authority which demonstrates the absence of nesting birds.</p> <p>Reason: To ensure the protection of any birds which may be nesting within trees/ vegetation which will be felled/ removed as part of the proposals</p>
22.	<p>During the construction period temporary fencing shall be erected along the bank of Syd Brook and ditch 1 to protect the river corridor and prevent debris and construction material from encroaching into this area. Prior to the commencement of the development full details of the temporary fencing shall be submitted to and approved in writing by the Local Planning Authority. The fencing shall thereafter be retained during the construction and operational phase of the development in accordance with the approved details.</p> <p>Reason: to ensure the protection of Eller Brook during the construction period.</p>
23.	<p>The garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation.</p> <p>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking</p>
24.	All windows in the north east elevation of plot 2 hereby permitted shall be fitted

	<p>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>Reason: In the interests of the privacy of occupiers of neighbouring property.</p>
25.	<p>Prior to the commencement of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p> <p>Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety.</p>