

Item 3B	15/01057/FUL
Case Officer	Helen Lowe
Ward	Pennine
Proposal	Proposed dwelling in lieu of existing extensions to be demolished including off-road parking provision for existing and proposed dwelling.
Location	145 Town Lane, Whittle le Woods
Applicant	Mr David Connor
Consultation expiry:	5th February 2016
Decision due by:	8th April 2016
Recommendation	Approve
Executive Summary	The proposal would involve the redevelopment of a previously developed site within the Green Belt and it is not considered that the proposed development would have a significantly greater impact upon the openness of the Green Belt than the existing building. The proposal is recommended for approval.

Representations

Whittle le Woods Parish Council made the following comments in response to the original submission:

- The proposed development is on Green Belt land, no other new house has been built on Town Lane totally separate from the original building as this would be. It would set an undesirable precedents;
- Though the build's footprint is less than the current footprint the volume remains the same;
- The dwelling will be much taller than before, meaning significant loss of privacy for neighbouring cottages and loss of views;
- The proposed new build is not in keeping with the original house or the area;
- Reversing from the access point would not be safe due to the narrowness of the road and lack of visibility;
- The development will also increase parking on Town Lane;
- The house will not be connected to mains drainage and the site is waterlogged.

They have since made the following additional comments in response to amended plans being received:

- The height of the proposed dwelling means that the existing residences will be substantially overlooked, the dwelling has been moved to the left by 1.5m impinging even more on existing residents;
- The site is too small for the necessary parking and parked cars will block each other in;
- There is already a lot of flooding on this narrow lane and the lack of provision for surface water drainage will add to this;
- This land was not originally used for a dwelling in the first place, therefore it will not have maintained original use;
- Query the scale of the plan provided. If the plan showed the building to scale the road would actually be 4m wide, in fact the road is 2.5m wide.

Finally in response to further amendments the following additional comments were made:

- The Parish Council still consider it strange that a separate building of greater volume than the existing can be considered to be permitted in the Green Belt;
- The original garden is reduced as result of the parking spaces on the received plan so the development is more than double the existing building and would have a far greater impact than the current building;
- The increasing areas of hard standing, and the reducing areas of garden will make worse the already troublesome flooding issue;
- There are still a number of concerns with regard to parking arrangements – cars from the two properties blocking each other in, tall 4 car spaces are to be located close to the accident black spot Town Lane Junction, there is no provision for delivery parking;

In total 15 representations have been received which are summarised below

Objection	Support
Total No. received: 13 (from 6 households)	Total No. received: 2 (from one person)
<ul style="list-style-type: none"> • The appearance and modern design of the new build is not in keeping with the original house, nor the cottages which were built in 1726; 	<ul style="list-style-type: none"> • The existing buildings are of poor quality construction and incongruous with the original residence;

- The new build will be considerably higher than the cottages opposite which means there would be a loss of privacy, loss of views and loss of light;
- The original garden will be much reduced in size and the site will be overdeveloped;
- The unadopted road is not a quiet road, heavy farm vehicles as well as cars use this throughout the day;
- The proposals will lead to increased visitor parking on Town Lane on a section of road which is already an accident blackspot;
- Serious concerns regarding drainage and sewage
- Would set a precedent for the future;
- The proposed plan does not specify that the building should be built of matching material and be of a style with cottages and buildings in the immediate area;
- The cottages and path are subject to flooding, this will be exacerbated;
- Would cause over development of the site;
- Danger to pedestrians;
- Loss of garden due to increased hardstanding;
- The scale of the building is not in keeping with the area, it will be higher than existing cottages;
- The appearance and design of the proposed new dwelling would be inappropriate, having a negative impact to the character and aesthetic of the area;
- Increased noise and disturbance caused by the additional number of vehicles manoeuvring, accessing and exiting the plot;

Following receipt of the first set of amendments the following additional comments were received:

- The amended application does not solve the parking problems, it will be dangerous to pedestrians;
- Express concern about the impact on the local environment, there are two important walks which involve using the public footpath;
- The proposed build is higher than the existing dwelling and the cottages opposite, it will have a greater impact on the openness of the Green Belt;

- The proposed dwelling is situated across from the cottages, set at an angle with the closest point approximately 17m from the terraced front elevation;
- The property will be using the existing vehicular access;
- Part of the replacement buildings is a studio above one of the garages, therefore there will be no increased loss of privacy;
- There is no right in law to a view;
- Increased traffic by the proposed development will be inconceivable in comparison with the alleged amount of traffic using the lane;

Following the receipt of revised plans they make the following additional comments:

- The proposed parking arrangement is an improvement on the present arrangement whereby cars reverse onto the lane. Most neighbouring properties do not have turning facilities within the curtilage.

- The original footprint has doubled with the loss of 50% of the garden area, the size of the new development is twice the size of the existing extensions;
- On the plan the width of the public footpath is inaccurate;
- The proposed turning area is inadequate;
- Materials should be in keeping with the surrounding buildings;

Further to further amendments to the proposed layout the following comments were received:

- The application including parking is now at least twice the size of the original extension and occupies most of the original garden resulting in overdevelopment of the site;
- The building is unnecessary and not required by any housing needs for this Green Belt area;
- Each amendment has reduced the garden area;
- The position of the exit is too close from the junction of Town Lane at a spot that has seen numerous accidents over the past few years;
- The land is waterlogged;
- Can the developer reassure the residents that an independent certified specialist will carry out an asbestos survey on all extensions to be demolished;

Consultees

Consultee	Summary of Comments received
Cllr Gordon France	Request that the application go before Development Control Committee as a number of residents' raised a privacy issue with window's overlooking their property. The other issue is traffic exiting on to a busy road on a bad bend with parking at a premium. This is a significant change to building in the area and needs to be decided at full committee.
Chorley Council Planning Policy	A financial contribution towards the provision and improvement of public open space is required.
Environment Agency	Local and national guidance is that the first presumption is to discharge into the public sewer. Their records indicate that there is a public sewer along Town Road and they would expect the proposed dwelling to connect to this, unless the applicant can demonstrate that it is not feasible in terms of cost or practicality to do so.

Greater Manchester Ecology Unit	<p>No further survey effort for bats is required. Should any be found at any time during works then work should cease immediately and advice sought from a suitably qualified bat worker.</p> <p>It is recommended that a condition be attached to secure that demolition works and any works to trees or shrubs, including site clearance, should not be undertaken in the main bird breeding season (March to July inclusive), unless nesting birds are found to be absent, by a suitably qualified person.</p> <p>Opportunities for biodiversity enhancement should be incorporated into the new development.</p>
Lancashire County Council Highways	<p>Initially raised concerns that the space shown on the plan was inadequate for the proposed car parking spaces. As the proposal would be accessed via a public Right of Way, therefore for pedestrian safety reasons, there is a need for vehicles to access and egress the site in forward gear.</p> <p>Following receipt of amended plans the Highways Engineer confirmed that the layout of the access was acceptable, however they expressed concerns that all four proposed parking spaces are located within the red edge, and that should there be a change of ownership in the futures the existing property no. 145 might not have access to use any of the parking spaces.</p>
Lancashire County Council Public Rights of Way	No comments received
Ramblers Association	No comments received

Members will recall that this application was deferred from the previous committee meeting for a site visit to take place.

Assessment

Principle of the Development

1. The application site is wholly located within the Green Belt. The Framework confirms at paragraph 89 that the construction of new buildings should be regarded as inappropriate in the Green Belt unless they fall within certain specified exceptions. The exceptions include 'limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use (excluding temporary buildings) which would not have a greater impact on the openness of the Green Belt and on the purpose of including land within it than the existing development.'
2. The definition of previously developed land is set out in the Framework as land which is or was occupied by a permanent structure, including the curtilage of the developed land. Land that is or has been occupied by agricultural or forestry buildings is excluded from the definition, as are private residential gardens in built up areas, and it is also emphasised that it should not be assumed that the whole of the curtilage should be developed. It therefore follows that residential gardens outside of settlement areas may be considered to be previously developed land (brownfield). A recent High Court decision (*Dartford Borough Council v Secretary of State for Communities & Local Government (CO/4129/2015)*) has also held this to be the case. It is accepted that the land that would form the application site is previously developed land.
3. Policy BNE5 of the Local Plan reflects the guidance set out in paragraph 89 of the Framework that the redevelopment of previously developed sites in the Green Belt is not inappropriate, provided that it does not have a greater impact on the openness of the Green Belt and the purposes of including land within it. Policy BNE5 additionally states that in the case of redevelopment of previously developed sites in the Green Belt proposals must ensure that the appearance of the site as a whole is maintained or enhanced and should be put forward in the context of a comprehensive plan for the site as a whole.
4. It is clear within the Framework that the redevelopment of existing previously developed sites within the Green Belt may only be acceptable where it would not cause harm to the openness of the Green Belt, nor conflict with the purposes of including land within the Green Belt. The purposes of including the land within the Green Belt include: to check the unrestricted sprawl of large built up areas; to prevent neighbouring towns merging into one another and to safeguard the countryside from encroachment.
5. The application proposes the demolition of a series of extensions that are attached to the north east elevation of the application property, and the erection of dwelling within the adjoining garden. The existing extensions comprises a single storey extension to the house, which was linked to a two storey, flat roofed extension comprising a garage on the ground floor and a studio/workshop on the first floor. Attached to the side of this is a wooden shed/store. Planning permission was granted for the studio/workshop (to be built over an existing garage) in 1957 (application reference 5/5/01890). There is some correspondence on the application file between the occupant and the Council in the 1970s with regard to whether the use of the premises as an architectural studio was ancillary to the main use of the dwellinghouse.
6. Together these extensions occupy a footprint of approximately 91m² and have a volume of around 323m³. The proposed replacement building would have a footprint of approximately 54m² and a volume of 323m³. The footprint of the proposed dwelling would be located largely within the garden area to the northwest of the original dwelling and extensions; only a small part of the building would be located on the footprint of the structures to be demolished.
7. The proposal also involves the formation of a shared driveway and turning area, which would largely occupy the footprint of the existing buildings to be demolished and two off

road parking spaces for each dwelling, which would be located parallel to each other, within the garden area to the rear of the existing structures. A small part of the footprint of the existing structures would form part of the garden area to the front and side of the proposed and existing dwelling. The shared drive, turning area, and parking spaces (excluding the tarmac drive to the highway) would occupy a footprint of approximately 97m².

8. The footprint of the new dwelling, together with the associated proposed hardstanding would therefore occupy a larger footprint than the existing extensions to be demolished. However, the actual built development proposed would only occupy around a third of this footprint. The overall ridge height of the proposed dwelling would be 6.7m. The maximum height of the existing buildings on the site is 5.4m.
9. Whether the proposed dwellings will have a greater impact on openness is a subjective judgment which is considered further below. Objective criteria could include the volume of the existing buildings, the footprint of the existing building and the height of the existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exceptions of paragraph 89 of the Framework, which is reflected in policy BNE5 of the Local Plan, the test relates to the existing development. The openness of an area is clearly affected by the erection or positioning of any object within it no matter whether the object is clearly visible or not. The openness test relates to the whole of the application site.
10. Although the footprint of the new building differs slightly to that of the existing buildings, it is still within the curtilage of no. 145. Given that the volume of the building is not larger than the volume of the buildings to be demolished it is considered that the impact on the openness is very similar to the existing situation, albeit in a slightly different location. The result of locating the dwelling further into the existing garden results in the removal of a large extension and will create a visual break between the existing and proposed dwelling.
11. The increase in height is not considered to be unduly harmful to the openness of the area, particularly given the reduction in spread of buildings across the site and the improvements in design (discussed further below).
12. The proposed hardstanding would have some impact on openness however the size of the hardstanding is not considered to be greater than is necessary and it will result in an improvement in parking and access arrangements within the site. It would not be unusual to see a driveway and parking area of this nature within a residential curtilage, even within a rural setting. A condition could be imposed to secure sympathetic materials that are permeable.
13. Taking these factors into consideration, it is not considered that the proposed development will have a greater impact on the "openness" of the Green Belt or have a greater impact on the purposes of including land in the Green Belt.

Impact on Neighbour Amenity

14. Policy BNE1 of the emerging Local Plan states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
15. The proposed dwelling would be located opposite nos. 137 and 135 Town Lane, although off set at an angle. At its closest point it would be 16m from no. 137. The dwelling has been designed so that there is just one first floor window to a habitable room. This window would be a minimum 21.5m from the facing elevation of no. 135 Town Lane, at an angle. This complies with the Council's interface standards. There is no significant difference in levels between the neighbouring properties and the proposed finished floor level of the proposed dwelling that would require an increase in this standard.

16. As discussed above the height of the proposed dwelling would be approximately 1.3m greater than that of the existing buildings on the site, although the spread of buildings across the site would be less than at present (the width of the proposed dwelling would be approximately 9.3m, the extensions to be demolished have a width of 15.4m). The outlook experienced by neighbouring properties would be different to that experienced at present, however it is not considered that this would be so detrimental as to warrant refusal of the proposals.
17. Concerns have also been raised with regard to proposed drainage arrangements. The plans have now been amended so that the proposed dwelling will be served by mains drainage, rather than utilising a septic tank. With regards to surface water runoff conditions can be attached requiring hard standing to be constructed from permeable materials

Highway Safety

18. It is proposed to provide two off road parking spaces and a shared drive and turning area for both dwellings utilising the existing vehicular access point off the public right of way leading to Wilson Nook Farm to the north. The number of parking spaces proposed would comply with the parking standards set out in policy ST4 of the Local Plan. It is accepted that it is not desirable for parking spaces to be located in tandem however this is not unusual for private dwellinghouses and not sufficient reason for refusal of the application.
19. Existing off road parking space is limited and it would not be possible to enter and exit in a forward gear or pull a car clear of the access road if the garage doors were closed. It is considered that the ability to turn within the site would be an improvement on the existing situation.
20. The concerns of the highway engineer regarding the fact that the parking spaces for both dwellings appear to be shown within the curtilage of the new dwelling are noted, however it is not considered that the plans do show this. All four of the parking spaces would be separated from both of the adjacent garden areas by a fence/wall. This has been confirmed by the agent. The red line on the site plan does not indicate that they will be within the curtilage of either one property or the other (in the same way that the red edge of a large housing development encompasses the whole site, and is not drawn around each individual property). A condition could be imposed to ensure that two spaces remain available for each property in perpetuity.
21. Concerns have also been raised by the neighbouring residents that the site plan submitted does not accurately reflect the width of the access road. This is outside of the application site; however measurements taken on site indicate that the road is narrower than shown on the plan, particular towards the westernmost part of the site boundary. The Highways Engineer has not expressed any concerns with regard to the width of the access road (they have been made aware of the discrepancy in the plans). The proposal would result in one extra dwelling using the road, for a short distance close to the junction with Town Lane. The road also serves Wilson Nook Farm to the north, and it is understood from comments made by neighbouring residents that a number of farm vehicles use the road as well. Against the level of existing use it is not considered that one dwelling using the access road for a short distance would give rise to such a significant increase in traffic movements that would be so detrimental to highway safety to warrant refusal of the proposals.

Design and Appearance

22. The proposed dwelling would be a two storey, with a simple design that reflects the appearance and proportions of the original dwelling at no. 145. It is indicated on the application form that the building is to be constructed from stone with either a slate or slate effect tiled roof. This is considered to be in keeping with neighbouring properties. A condition could be added to require samples to be provided to ensure that high quality materials in keeping with the area are used.

23. As the dwelling would have a finished floor level 1.25m lower than the adjacent original dwelling, the ridge height of the proposed dwelling would be lower than that of the existing house by approximately 0.5m. The overall ridge height of the proposed dwelling would be 6.7m. The maximum height of the existing buildings on the site is 5.4m.
24. The design and appearance is considered to be in keeping with surrounding properties and an improvement on the existing structures to be demolished, which are constructed from a mixture of materials and not in keeping with the original property.

Ecology

25. The applicant has provided a survey and assessment of the site in respect of bat species, nesting birds and barn owls with the application. The survey comprised daytime evidence and opportunity bat survey, an evening bat emergence survey and a nesting bird survey (including barn owls) of the buildings, trees and shrubs within the site boundary.
26. No current or historic evidence of roosting bats was found in any of the buildings on the site. No evidence of roosting barn owls was found either.
27. It is recommended that conditions/informative as advised by Greater Manchester Ecology Unit are added to any grant of approval. The findings of the survey are considered to demonstrate that the proposal would not give rise to any harm to protected species and is considered to comply with policy BNE9 of the Local Plan.

CIL

28. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Sustainable Resources

29. Policy 27 of the Core Strategy currently requires dwellinghouses to be built to meet Code for Sustainable Homes Level 6. 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."

30. 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.

Section 106

31. There is a requirement for a financial contribution towards equipped play space, casual/informal play space and playing fields for all new housing planning permissions in the Borough irrespective of size. This is set out in policies HS4A and HS4B of the Local Plan.
32. In September 2013 the Council adopted The Open Space and Playing Pitch Supplementary Planning Document. The Council's requests for financial contributions towards the provision and improvement of public open space within the Borough are therefore now based on comments are based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the SPD. The Council has also produced an Open Space Study and Playing Pitch Strategy which provides detailed information on local needs, deficits and surpluses, therefore such requests for contributions are based on a robust and up to date assessment on the level of need and existing provision in the local area.
33. The agent has confirmed that the applicant is happy to agree to the imposition of a condition to secure a scheme for the provision of off site public open space

Overall Conclusion

34. The proposal would involve the redevelopment of a previously developed site within the Green Belt. For the reasons outlined above it is not considered that the proposed development would have a significantly greater impact on the openness of the Green Belt than the buildings to be demolished. It is also considered that the proposal would not give rise to undue harm to the amenities of neighbouring residents or highway safety and is accordingly recommended for approval.

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
5/5/01890	Erection of studio - workshop	Approved	1957

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><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																					
2.	<p>The development hereby permitted shall be carried out in accordance with the following approved plan</p> <table border="1" data-bbox="320 539 1302 1088"> <thead> <tr> <th data-bbox="320 539 655 600">Title</th> <th data-bbox="655 539 938 600">Drawing Reference</th> <th data-bbox="938 539 1302 600">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 600 655 660">Existing Site Layout</td> <td data-bbox="655 600 938 660">15/094/E02</td> <td data-bbox="938 600 1302 660">21 October 2015</td> </tr> <tr> <td data-bbox="320 660 655 763">Existing plans and elevations</td> <td data-bbox="655 660 938 763">15/094/E01</td> <td data-bbox="938 660 1302 763">21 October 2015</td> </tr> <tr> <td data-bbox="320 763 655 866">Proposed dwelling plans and elevations</td> <td data-bbox="655 763 938 866">15/094/P02</td> <td data-bbox="938 763 1302 866">21 October 2015</td> </tr> <tr> <td data-bbox="320 866 655 927">Proposed site layout</td> <td data-bbox="655 866 938 927">15/094/P01</td> <td data-bbox="938 866 1302 927">27 January 2016</td> </tr> <tr> <td data-bbox="320 927 655 1028">Existing site Plan and location plan</td> <td data-bbox="655 927 938 1028">15/094/L01</td> <td data-bbox="938 927 1302 1028">27 January 2016</td> </tr> <tr> <td data-bbox="320 1028 655 1088">Proposed Street Scene</td> <td data-bbox="655 1028 938 1088">15/094/P03</td> <td data-bbox="938 1028 1302 1088">27 January 2016</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	Existing Site Layout	15/094/E02	21 October 2015	Existing plans and elevations	15/094/E01	21 October 2015	Proposed dwelling plans and elevations	15/094/P02	21 October 2015	Proposed site layout	15/094/P01	27 January 2016	Existing site Plan and location plan	15/094/L01	27 January 2016	Proposed Street Scene	15/094/P03	27 January 2016
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3.	<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>																					
4.	<p>Prior to the commencement of any development, full details of the alignment, height and appearance of all fences and walls to be erected to the site boundaries (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 building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>																					
5.	<p>A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall include all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform. The scheme should include a landscaping/habitat creation and management plan which should aim to contribute to targets specified in the UK and Lancashire Biodiversity Action Plans. Landscaping proposals should</p>																					

	<p>comprise only native plant communities appropriate to the natural area. All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</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>
6.	<p>Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing/parking area 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>
7.	<p>No development shall commence until a Scheme for the provision of off-site public open space in accordance with the principles of Policies HS4A and HS4B of the Adopted Chorley Local Plan 2012-2026 has been submitted to and approved in writing by the Local Planning Authority. The dwelling(s) hereby approved shall not be occupied until the approved Scheme has been implemented.</p> <p><i>Reason: The provision of off-site public open space is a requirement of the Development Plan and therefore a scheme or mechanism to deliver the requirements of the development plan are essential to make the development acceptable. A suitable scheme has not been submitted as part of the application and is needed prior to the commencement of the development to ensure a suitable scheme can be agreed.</i></p>
8.	<p>The parking and / or garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 2015).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
9.	<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><i>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.</i></p>
10.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>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</i></p>

	<i>part of new residential schemes in the interests of minimising the environmental impact of the development.</i>
11.	<p>Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>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.</i></p>
12.	<p>The parking spaces 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. Two spaces shall be kept available for the use of the occupants of no. 145 Town Lane and two spaces shall be kept available for the use of the dwelling hereby approved at all times.</p> <p><i>Reason: To ensure adequate off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.</i></p>
13.	<p>No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the scheme has been implemented in accordance with the approved plans.</p> <p><i>Reason: To secure proper drainage and to prevent flooding.</i></p>