

APPLICATION REPORT – 16/00667/FUL

Validation Date: 25 July 2016

Ward: Ecclestone And Mawdesley

Type of Application: Full Planning

Proposal: Erection of 3no. Dwellings and Associated Works.

Location: Land To The South West Of Ricmarlo Preston Nook Ecclestone

Case Officer: Andrew Williams

Applicant: Mr Michael Reilly

Agent: Mr Joshua Hellawell

Consultation expiry: 15 August 2016

Decision due by: 19 September 2016

RECOMMENDATION

1. Approve subject to conditions and legal agreement.

SITE DESCRIPTION

2. 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 has been renovated and extended (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. The land slopes down to the south-west from Preston Nook with the neighbouring properties to the north and eastern aspects set an elevated position.

DESCRIPTION OF PROPOSED DEVELOPMENT

3. The proposed development involves the erection of three five bedroomed detached dwellinghouses on land to the rear of Ricmarlo with a new accessway off Preston Nook.
4. It is envisaged that the dwellings will be constructed in brick with stone cills to the fenestration under gable ended artificial slate pitched roofs.
5. House Type A will be sited to the south-western portion of the application site and consists of a two storey property incorporating an integral double garage to the principal side elevation with first floor accommodation above and a modest single storey rear projection.

6. House Type B is formed over two storeys with gable projection to the principal elevation and a subservient integral double garage to the side with first floor accommodation within the roofscape and flat roofed dormer window.

CONSTRAINTS

Ancient Woodland Buffer
SSSI Impact Risk Zones
Wind turbine consultation zone

RELEVANT HISTORY OF THE SITE

Ref: 14/00550/OUT Decision: PERFPP Decision Date: 11 August 2014
Description: Outline application (all matters reserved) for the erection of up to three detached dwellings.

Ref: 15/00719/FUL Decision: PERFPP Decision Date: 3 November 2015
Description: Erection of three 2.5 storey detached dwellings with garages along with construction of new accessway

REPRESENTATIONS

7. One letter of representation has been received from the occupier of a neighbouring property detailing the following points:
- The plan of the land being developed shows a red line indicating the extent of the boundary. This is incorrect and as such part of the development is on land that does not belong to the applicants; and
 - The housing is considerably larger than previous applications and consideration should be given to overlooking adjacent property and gardens. Given the large amount of space available to the developers no house need face or overlook any adjacent property or garden built or in the process of being built.

Council response to the representation made:

- The applicant has subsequently amended the red line boundary to the eastern section of the proposed development adjoining Woodview as shown on Dwg.1210-PL-03A dated July 2016.
- The impact of development upon the amenities of neighbouring properties is discussed in detail within the amenity section of this report.

CONSULTATIONS

8. **Eccleston Parish Council** – No response received.
9. **Council's Tree Officer** – Comments that the majority of the tree cover is situated on or close to the perimeter of the site. Some tree management/maintenance work has been identified within the submitted tree survey report and it is considered that the proposed development will not affect the trees within the site.
10. **Lancashire Highway Services** – No objection.
11. **Greater Manchester Ecology Unit** – No objection subject to biodiversity enhancements and protection of existing vegetation and waterways during construction.
12. **Environment Agency** – No objection subject to a condition requesting that the development shall be carried out in accordance with the approved Flood Risk Assessment.
13. **Lead Local Flood Authority** – No response received.
14. **Lancashire County Council Public Rights Of Way** – No response received.

15. **The Coal Authority** – Standing advice – low risk.

16. **Lancashire County Council Archaeology Service** – No objection subject to a condition requesting that prior to the development taking place a programme of archaeological work is first submitted to and agreed in writing by the Local Planning Authority.

PLANNING CONSIDERATIONS

Principle of development

17. Both outline planning permission (2014) and full planning permission (2015) has previously been granted for three dwellinghouses on this site and as such the acceptability of the principle of development has been established.

18. The site is located within the settlement area of Eccleston as identified within the Adopted Local Plan. Policy V2, Settlement Areas, of 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 Eccleston 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.

Siting, Scale and Design

19. Policy BNE1 of the Chorley Local Plan 2012-2026 indicates that planning permission will be granted for new development provided that:

- a) The proposal does not have a significantly detrimental impact on existing building, neighbouring buildings or on the street scene by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, materials, orientation and use of materials;
- b) The development would not cause harm to any neighbouring property by virtue of overlooking overshadowing or overbearing effect;
- c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;
- d) The residual cumulative highways impact of the development is not severe and would not prejudice highway safety, pedestrian safety, the free flow of traffic or provision of car parking;
- e) The proposal would not adversely affect the character or setting of a listed building, conservation area or heritage asset;
- f) The proposal would not have a detrimental impact on important natural habitats and landscape features;
- g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses; and
- h) The proposal includes measures to help to prevent crime and promote community safety.

20. The application site is situated on the edge of the village of Eccleston with the surrounding built form characterised by its traditional architectural detailing and simple fenestration patterns. This can be seen through the mixture of brickwork and rendering to the elevations under predominantly gable ended pitched roofs. It is also noted that neighbouring properties are largely positioned amongst accommodating curtilages delineated by established treelines or 2m high boundary fencing panels.

21. The proposed development involves the construction of three two storey properties which utilise the topography of the land to reduce the impact of development upon the street-scene. The density, scale and massing, siting, layout and building to plot ratio assimilates to neighbouring developments with corresponding materials used to provide uniformity whilst

sympathetically integrating and contributing towards the local distinctiveness of the area. In this regard it is considered that a material schedule can be secured via a planning condition.

22. The red edge site location plan covers an area in excess of 0.4 hectares which results in a density of fewer than 10 dwellings per hectare. Policy 5 of the Core Strategy confirms that the authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land. In this regard 10 dwellings per hectare is a very low density however given the character of the area and the site level constraints this density is considered to be appropriate and reflects the character of the area.
23. The proposal is therefore considered acceptable in relation to criteria a) and c) of Policy BNE1 of the local Plan.

Levels

24. There are significant level changes across the site with the edge of the residential curtilage to Ricmarlo sloping down steeply to the application site. From this point a gabion wall will be incorporated into the scheme to the east of Plot 3 followed by a retaining wall to Plot 2 and a further gabion wall basket retaining wall to the rear of Plots 1 and 2 with steps down to a lower garden level.
25. The resulting level differences from the proposed entrance site to the lower garden level to the south-west is approximately 7 metres with site levelled to accommodate Plots 1 and 2 with a finished floor level for these two plots of approximately 1-1.5 meters higher than current ground level.

Impact on Neighbouring Amenity

26. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that there should be no unacceptable adverse effect on the amenity of neighbouring properties through overlooking, loss of privacy or reduction of daylight.
27. The immediate neighbours to the site are Twisted Chimney, 1 Ince Lane, 12 Ince Lane, Ince Cottage, 16 Enfield Close, Ricmarlo, Woodview and Ricmarlo.
28. 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 5 metres higher than the suggested road level and that of Plot 1. It is, therefore, considered that 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.
29. 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.
30. 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 2 – 2.5m 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.
31. 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 proposal will adversely impact on the occupiers of 12 Ince Lane.

32. 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.
33. Ricmarlo is the property fronting onto Preston Nook. Plot 3 is located to the rear of Ricmarlo. The side elevation of Plot 3 is approximately 19 metres from the main rear elevation of Ricmarlo and approximately 3.5 metres 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 lower 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.
34. Woodview is an existing detached bungalow neighbouring Ricmarlo to the western boundary. Plot 3 backs onto the garden area of Woodview and has a finished floor level which is approximately 4 metres 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.
35. 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. 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.
36. It is not considered that there would be any significant loss of amenity to the future occupiers of the proposed development and the proposal therefore complies with policy BNE1 of the Chorley Local Plan 2012 – 2026.

Flooding

37. The southern part of the site is located within Flood Zone 3 with the majority of this part of the site left undeveloped. It is however noted that part of the gardens to Plots 1 and 2 will be sited within the 1 in 1000 year flood risk event boundary.
38. In this regard the Environment Agency has been consulted as the application is supported by a Flood Risk Assessment.
39. Flood Zone 3 is defined as having a high probability of flooding within the Framework however the Environment Agency has concluded that the development would be safe for its lifetime without increasing flood risk elsewhere and have no objection subject to the development being in accordance with the submitted Flood Risk Assessment.

Highways and Traffic

40. 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 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.

41. 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 two cars and driveway space sufficient for additional parking. As such the parking provision is considered to be acceptable.

42. The Lancashire Highways Authority raises no objection to the scheme.

Trees

43. Policy BNE9 of the adopted Chorley Local Plan 2012 – 2026 indicates that development proposals which would result in the loss of trees and/or involve inappropriate works to trees which make a valuable contribution to the character of the landscape will not be permitted unless mitigation measures are incorporated into the scheme to outweigh the harm caused.

44. 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.

45. 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.)

46. 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 recommended.

Ecology

47. Policy BNE10 of the adopted Chorley Local Plan 2012 – 2026 states *'that planning permission will not be granted for development which would have an adverse effect on a protected species unless the benefits of the development outweigh the need to maintain the population of the species in situ. Should development be permitted that might have an effect on a protected species planning conditions or agreements will be used to:*
facilitate the survival of the individual species affected;
reduce the disturbance to a minimum; and
provide adequate alternative habitats to sustain the viability of the local population of that species.'

48. Due to the extensive tree cover on 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 as per the previous approval under 15/00719/FUL.

Birds

49. 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

50. 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

51. 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

52. 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.

53. 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

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

Lighting

55. 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.

56. Invasive Species

57. 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.

58. Biodiversity Enhancement

59. 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

60. 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

61. The Open Space and Playing Pitch SPD was adopted for development control purposes at the Council meeting on 17th September 2013. However, the current position for developments of 10 or less dwellings is that the only typology the Council may be justified in asking for contributions towards is provision for children/young people if there is a need for new equipment. There is currently a surplus of provision for children/young people in Ecclestone.

62. Where there is a surplus the approach is to seek contributions for improvements to existing sites if there are any sites within the accessibility catchment (800m) that are identified as low quality and/or low value. There is a site identified as low quality within the accessibility catchment of this site however the only improvement required is replacement safety surfacing. This is not considered to be a local issue that outweighs national policy and therefore a contribution towards the provision of public open space is not considered to be necessary in this instance.

Sustainable Resources

63. 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.”

64. 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.

CIL

65. 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.

CONCLUSION

66. The acceptability of the principle of erecting three dwellings on this site has already been established and as such the proposal is recommended for approval.

RELEVANT 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.

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</p>

	design.
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 Supplementary Flood Risk Assessment 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 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),</p>

	<p>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 part of new residential schemes in the interests of minimising the environmental impact of the development.</p>
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</p>

	<p>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>1210-PL-01A</td> <td>19th August 2016</td> </tr> <tr> <td>Existing site Layout</td> <td>1210-PL-02A</td> <td>19th August 2016</td> </tr> <tr> <td>Proposed Site Layout</td> <td>1210-PL-03A</td> <td>19th August 2016</td> </tr> <tr> <td>Proposed Site Sections</td> <td>1210-PL-10</td> <td>20th July 2016</td> </tr> <tr> <td>Proposed House Type A Floor Plans</td> <td>1210-PL-06A</td> <td>20th July 2016</td> </tr> <tr> <td>Proposed House Type A Elevations</td> <td>1210-PL-07</td> <td>20th July 2016</td> </tr> <tr> <td>Proposed House Type B Floor Plans</td> <td>1210-PL-08</td> <td>20th July 2016</td> </tr> <tr> <td>Proposed House Type B Elevations</td> <td>1210-PL-09</td> <td>20th July 2016</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	1210-PL-01A	19 th August 2016	Existing site Layout	1210-PL-02A	19 th August 2016	Proposed Site Layout	1210-PL-03A	19 th August 2016	Proposed Site Sections	1210-PL-10	20 th July 2016	Proposed House Type A Floor Plans	1210-PL-06A	20 th July 2016	Proposed House Type A Elevations	1210-PL-07	20 th July 2016	Proposed House Type B Floor Plans	1210-PL-08	20 th July 2016	Proposed House Type B Elevations	1210-PL-09	20 th July 2016
Title	Drawing Reference	Received date																										
Location Plan	1210-PL-01A	19 th August 2016																										
Existing site Layout	1210-PL-02A	19 th August 2016																										
Proposed Site Layout	1210-PL-03A	19 th August 2016																										
Proposed Site Sections	1210-PL-10	20 th July 2016																										
Proposed House Type A Floor Plans	1210-PL-06A	20 th July 2016																										
Proposed House Type A Elevations	1210-PL-07	20 th July 2016																										
Proposed House Type B Floor Plans	1210-PL-08	20 th July 2016																										
Proposed House Type B Elevations	1210-PL-09	20 th July 2016																										
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> <p>Reason: To safeguard the visual amenity of the area.</p>																											
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>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</p>																											

	<p>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>
21.	<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>
22.	<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>
23.	<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>
24.	<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>