

## APPLICATION REPORT – 16/01184/FUL

**Validation Date: 22 December 2016**

**Ward: Astley And Buckshaw**

**Type of Application: Full Planning**

**Proposal: Demolition of the existing farmhouse, barn, stables and store and the erection of 3 no. detached houses and associated garages.**

**Location: Pear Tree Farm, Pear Tree Lane, Euxton, Chorley, PR7 6DU**

**Applicant: Mr & Mrs P Marsden**

**Agent: Tony Lawson, LMP Ltd**

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### RECOMMENDATION

1. It is recommended that the application is approved subject to conditions.

### SITE DESCRIPTION

2. The application site, Pear Tree Farm, consists of a number of buildings including a traditional detached, two-storey farmhouse, a large brick built barn of a similar height to the farmhouse with attached single-storey stables and brick storage block.
3. Elsewhere within the site there is undeveloped land, areas of hardstanding, a ménage and the bases of buildings that have been removed historically.
4. The site is bounded by wooden fencing and brick walls. A number of trees are present on site, which will remain in situ.

### DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks approval for the demolition of all built form on site and the erection of 3 detached two-storey dwellings. All of the dwellings are large, family sized homes; 1 x 4-bed and 2 x 5-bed. Each dwelling will be served by its own detached garage; double garages for Plots 2 and 3 and a triple garage for Plot 1.
6. Plots 1 and 2 will be served by a private shared access utilising the location of the existing access to the farmhouse. Plot 3 will be accessed by its own private drive, utilising another existing farm access. The accesses surfaces will be bound gravel.
7. All plots will have front and rear gardens and hardstanding in front of the garages made of block paving.
8. Low walls and fencing and will be provided for the boundary treatments and gates are proposed to the access road to Plot 3 and to the driveway of Plot 1. A gate is provided at the end of the access road to Plots 1 and 3 to allow vehicular access to the remaining agricultural fields.

### RELEVANT HISTORY OF THE SITE

**Ref:** 13/01095/CLEUD      **Decision:** PEREUD      **Decision Date:** 27 January 2014

**Description:** Application for a Certificate of Lawfulness for an Existing Use or Development in respect of the land being used as a livery for horses.

**Ref:** 15/00053/DEMCON    **Decision:** PERDEM    **Decision Date:** 18 February 2015

**Description:** Application for prior determination of the proposed demolition for demolition of 3 no. stable blocks comprising of loose boxes all dismantled to slab level and removed from site

## REPRESENTATIONS

9. One letter of objection received, raising the following concerns:
  - Loss of Green Belt land;
  - No need for large, luxury housing in this area;
  - Area is a haven for wildlife, farm animals, walkers and cyclists and by its very nature is a peaceful, quiet area; and
  - Surrounding roads are too narrow.
10. Two letters of support have been received, raising the following points:
  - This site has been neglected and unsightly for many years and the development will be a vast improvement;
  - The proposals are appropriate and will enhance rather than adversely affect the area;
  - The redevelopment of this land will improve security, drainage, aesthetics and bring back into use a now derelict brownfield site which is currently an eyesore infested with weeds and vermin; and
  - The proposals are in scale and keeping with the location and do not represent an over development of the land which in the past has been much more intensely covered with ramshackle buildings.

## CONSULTATIONS

11. **Planning Policy** – Conclude that the development is inappropriate development in the Green Belt.
12. **Greater Manchester Ecology Unit** - Satisfied that the development can be delivered without causing harm to bats, birds and great crested newts, subject to appropriately worded conditions and informatives.
13. **Waste & Contaminated Land** - Satisfied with the findings of the submitted initial assessment and conclude that an appropriately worded planning condition be attached to any approval to secure the further investigation work outlined in Section 6 of the report.
14. **Lancashire Highway Services** – No objection subject to the imposition of various measures including the provision of a 2m wide footway across the width of the application site and appropriate vehicular access widths and turning head lengths.
15. **Lead Local Flood Authority** – No comments received.
16. **United Utilities** – No objection.
17. **Euxton Parish Council** - Object to the proposal on the grounds that it is premature as the land is not yet allocated for development and it does not meet the requirements of policy HS6 which sets down the conditions for the provision of replacement dwellings in

safeguarded land. Neither would it meet Policy HS9 for Conversion of Rural Buildings in the Green Belt and Other Designated Rural Areas.

18. **Lancashire County Council Archaeology Service** - Recommend a record of the buildings be made prior to demolition and this should be carried out prior to any development of the site. Recommend a staged programme of archaeological investigation. It is recommended that the first phase of this work should include the formal archaeological supervision of all groundworks. Should any remains be encountered a further phase of work should then be implemented to address the issues revealed by the initial investigations. This work should be secured by means of an appropriately worded planning condition.

## **PLANNING CONSIDERATIONS**

19. The main issues are as follows:

- Issue 1 - Impact on the Green Belt
- Issue 2 - Impact on character and appearance of the locality
- Issue 3 - Neighbour amenity
- Issue 4 - Impact on highways/access
- Issue 5 - Ecology
- Issue 6 - Public Open Space
- Issue 7 - Sustainability

### Principle of Development

20. The application site forms part of land designated by Local Plan Policy BNE3 as areas of land safeguarded for future development needs and is located specifically within BNE3.9 'Pear Tree Lane, Euxton.'

21. Policy BNE3: Areas of Land Safeguarded for Future Development Needs states that:

*Development other than that permissible in the countryside whether Green Belt or Areas of Other Open Countryside will not be permitted on Safeguarded Land as shown on the Policies map...*

22. Therefore, policy BNE3 requires this proposal to be assessed as to whether it would be acceptable as though it were located within the Green Belt or an Area of Other Open Countryside.

23. The policy was adopted in July 2015 and the Inspector for the Chorley Local Plan (October 2013) concluded that safeguarded land serves an important planning purpose of ensuring the longevity of the Green Belt boundaries.

24. The proposed site is safeguarded for future development needs beyond the plan period which extends to 2026. Development other than that permissible in the countryside whether Green Belt or Area of other Open Countryside will not be permitted on safeguarded land.

25. The Central Lancashire Core Strategy was adopted in 2012 and made no changes to the adopted Green Belt in Central Lancashire. The NPPF para 83 states:

*"Once established, Green Belt boundaries should only be altered in exceptional circumstances, through the preparation or review of the Local Plan. At that time, authorities should consider the Green Belt boundaries having regard to their intended permanence in the long term, so that they should be capable of enduring beyond the plan period".*

26. The Chorley Local Plan therefore made no changes to the Green Belt

27. National guidance on Green Belt is contained in Chapter 9 of the Framework which states:

79. *The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.*

80. *Green Belt serves five purposes:*

- *to check the unrestricted sprawl of large built-up areas;*
- *to prevent neighbouring towns merging into one another;*
- *to assist in safeguarding the countryside from encroachment;*
- *to preserve the setting and special character of historic towns; and*
- *to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

87. *As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

88. *When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.*

89. *A local planning authority should regard the construction of new buildings as inappropriate in Green Belt. Exceptions to this are: the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces; 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 the purpose of including land within it than the existing development.*

28. The replacement of the barn, storage and stables with 2 dwellings at Plots 2 and 3 would not be in the same use and as such the first exception is not applicable to this element of the proposed development. In respect of the farmhouse, the proposed dwelling at Plot 1 would be in the same use as this dwelling, but would be nearly twice as large as the existing farmhouse. Therefore the first exception is not applicable to this element of the proposed development either.

29. Within Annex 2, the glossary, of the Framework previously developed land is defined as:

*Land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or has been occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill purposes where provision for restoration has been made through development control procedures; land in built-up areas such as private residential gardens, parks, recreation grounds and allotments; and that was previously-developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape in the process of time.*

30. The application site has a lawful use as livery stables for which a certificate of lawfulness was granted in 2014 (Ref No. 13/01095/CLEUD), it is not in agricultural use. This being the case, the site falls to be considered previously developed land, in accordance with the definition in the Framework outlined above.

31. Policy BNE5 of the Local Plan relates to previously developed land within the Green Belt and reflects guidance contained within the Framework as follows:

*The reuse, infilling or redevelopment of previously developed sites in the Green Belt, will be permitted providing the following criteria are met:*

*In the case of re-use*

*a) The proposal does not have a materially greater impact than the existing use on the openness of the Green Belt and the purposes of including land in it;*

*b) The development respects the character of the landscape and has regard to the need to integrate the development with its surroundings, and will not be of significant detriment to features of historical or ecological importance.*

*In the case of infill:*

*c) The proposal does not lead to a major increase in the developed portion of the site, resulting in a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.*

*In the case of redevelopment:*

*d) The appearance of the site as a whole is maintained or enhanced and that all proposals, including those for partial redevelopment, are put forward in the context of a comprehensive plan for the site as a whole.*

32. The construction of the new dwellings will constitute inappropriate development unless one of the exceptions in the Framework is engaged. To benefit from the relevant exception in the case of this site, the applicant must demonstrate that the construction of the new buildings constitutes:
- The partial or complete redevelopment of previously developed land;
  - Which would not have a greater impact on the “openness” of the Green Belt; and
  - Which would not have a greater impact on the purposes of including land in the Green Belt.
33. Whilst the test for sites such as this relates to the impact on openness it is important to note that the Framework contains no specific definition of ‘openness’.
34. It is considered that in respect of the Framework that the existing site has an impact on the openness of the Green Belt. However it is important to note that merely the presence of an existing building on the application site currently does not justify any new buildings. The new buildings must also not “have a greater impact on the openness of the Green Belt”.
35. Whether the proposed dwellings have a greater impact on openness is a subjective judgment which is considered further below. Objective criteria could include the volume of the existing building 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.
36. The floorspace and volume of the existing farmhouse, barn, stables and storage buildings, are as follows:
- Existing volume – 2,112m<sup>3</sup>
- Existing floorspace – 417m<sup>2</sup>
37. It is evident that the proposed development has been designed to maximise the use of his existing built form, and use as much of this volume and floorspace as possible. The volume and floorspace of the proposed development is as follows:

Proposed volume – 2,118m<sup>3</sup>

Proposed floorspace – 362m<sup>2</sup>

38. The proposed development will therefore have a slightly larger volume (only 6m<sup>3</sup> more) and a smaller footprint (55m<sup>2</sup> less). Whilst this is an important consideration in the determination of this application, it is not an automatic inference that the resultant development will not result in harm to the openness of the Green Belt. It is important to note that the proposed garages have not been included within the volume and floorspace calculations.
39. The proposed dwellings are of a similar volume and a reduced footprint and it is considered that the three proposed dwellings would not have a greater impact on the openness of the countryside than the existing built form.
40. Through discussions with the Applicant the dwellings have been sited so as to reduce the incursion into the countryside. They are all located in close proximity to Pear Tree Lane and therefore limit the incursion into the countryside to the west.
41. Currently the application site detracts from the openness of the countryside. The farmhouse, whilst old, does not have any historic, aesthetic or architectural value. It is in a poor state of disrepair and has vegetation growing out of its roof. The dwelling has clearly been insensitively altered over time with new openings and additions. The existing barn, stables and storage are also deemed to not have any historic, aesthetic or architectural value. They are not worthy of retention. Whilst visually they appear as agricultural buildings that you would expect to see in this rural environment the barn, stables and storage block represent a large mass of built form that are in a poor state of repair.
42. The three dwellings proposed are of a similar volume and smaller footprint to the existing buildings on site. Importantly as they would be separated blocks of development (rather than two currently) the impact on the openness of the countryside would be reduced because their existing great mass would split up.
43. Through their orientation, siting and scale it is judged that the proposed dwellings will not have a greater impact on the openness of the countryside than the current built form on site does. The existing built form makes a negative contribution to the character and appearance of the locality. Its replacement would result in a positive visual impact.
44. Whilst the garages are large (particularly the triple garage to Plot 1) they are sited in sensible locations, partially hidden from view from Pear Tree Lane by the proposed properties. If garages were omitted from the proposals then the future owners of the properties could develop garages via Permitted Development Rights and the Council would then have limited control over the size and siting of these garages. The removal of Permitted Development Rights to restrict future development would be unreasonable in this instance. Seeking permission for the garages now ensures that they are of a size and height that is appropriate for the dwelling sizes and sited in appropriate positions. They are also built to the same style, rather than each individual property building their own in a different style in the future.
45. Balancing the size and scale of the existing building with the proposed dwellings, the visual impact of the proposed development and the character of the site; it is considered that the 'principle' of the proposed dwellings would not have a greater impact on the openness of the Green Belt. The proposal would therefore be considered to be appropriate development within the Green Belt as a previously developed site and therefore it is considered that it is in line with Policy BNE5 of the Local Plan and as a result Policy BNE3 and the Framework.

#### Impact on character and appearance of locality

46. Currently the character of the application site is rural in nature. As previously described, the buildings presently on site are of a design and appearance that would be expected to be seen in a rural environment. However, the buildings have limited to no architectural or

historic merit and currently make a negative contribution to the character and appearance of the locality. Pear Tree Cottage (to the north of the site), on the other hand, is of architectural and historic merit and makes a positive contributions to the character and appearance of the locality.

47. The design of the three proposed dwellings would not harm the character and appearance of the locality. They would complement the appearance and design of Pear Tree Cottage and would look appropriate in this rural context.

#### Neighbour amenity

48. The relationship between the three proposed dwellings would be acceptable. There would be no parallel facing windows and the privacy of the most private area of gardens would not be compromised. The degree of separation and relative positioning would be such that the impact of light and outlook would be acceptable.

#### Impact on highways/access

49. Plots 1 and 2 will be served by a private shared drive utilising the location of the existing access to the farmhouse. Plot 3 will be accessed by its own private drive, utilising another existing farm access.
50. The application utilises existing access arrangements to Pear Tree Lane and the layout also includes sufficient off road car parking space to serve the properties in accordance with Policy ST4 of the Chorley Local Plan.
51. The site is already in use as a private livery, which generates traffic including large horse carriers, therefore the development of the site with three dwellings would represent a less intensive use in highways terms. It is also noted that LCC (Highways) have no objection to the proposed development subject to the imposition of improvements measures, the implementation of which will be secured by condition.

#### Ecology

52. No significant ecological constraints were identified by the developer's ecological consultant. Minor issues relating to nesting birds, bats and biodiversity were identified which can be resolved via condition and/or informative
53. Bats - The initial bat inspection was undertaken on 13 September 2016, and comprised an internal and external inspection of all of the buildings on site. No bats or signs of bats were found in any of the buildings, internally and/or externally, although some potential roosting features were observed on a number of the buildings. The surrounding area was assessed as having only low to moderate potential to support foraging and commuting bats. An evening emergence survey was undertaken on 13 September 2016 in order to further assess the site and observe if any bats emerged from any of the buildings. No bats were seen to emerge from the buildings and only a low number of foraging and commuting bats were recorded throughout the survey. The Council's ecology adviser states that no further surveys are therefore considered necessary at this time and work can commence with a low risk to roosting bats.
54. None of the trees on site were considered to offer any bat roosting potential.
55. Birds - Two inactive swallows' nests were observed in the stable building at the time of the survey. The trees, hedgerows and shrubs on the site also 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). Therefore any works to trees, hedgerows and shrubs, including site clearance, should not be undertaken in the bird breeding season (March to July inclusive), unless nesting birds are found to be absent. It is of note that swallows can nest into late September/early October, the stable block should be checked for nesting swallows prior to any works.

56. Nesting pigeons were also observed within the barn. Pigeons are capable of breeding throughout the year. Nesting pigeons have legal protection under the terms of the Wildlife & Countryside Act 1981 (as amended) and a general license will be required from Natural England to allow work to proceed that would damage pigeon's nests.
57. Great Crested Newt (GCN) - Great Crested Newts are known to occur in the local area and although there are no water bodies on the site and no terrestrial habitat is to be lost to the development. There is a small possibility that newts could be found in the works area. To avoid any possible harm to newts Reasonable Avoidance Measures (RAMs) should be adopted in full during works, these include:
- All excavations on site should be covered at night or a ramp should be provided to allow amphibians to exit excavations. All excavations should be checked for amphibians each morning prior to the re-commencement of any works.
  - All exposed new pipework and drains should be capped at night so as to avoid trapping amphibians.
  - All excavated materials/waste should be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by amphibians. Alternatively all waste should be removed from site daily.
  - All stored building materials that might be used as temporary resting places by amphibians should be stored off the ground on pallets or similar.
  - Scaffold footings will be placed on sand to prevent newts taking temporary refuge underneath the footings.
  - If GCN are found at any time during works, then works should cease immediately and advice sought from a suitably qualified GCN ecologist.
58. Providing that the above precautions are adopted, no harm to amphibians will be caused by the development. These can be controlled by conditions.

#### Public Open Space (POS)

59. The proposed development would generate a requirement for the provision of public open space (POS) in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD.
60. The proposal is for an increase of two dwellings on the site from what exists at present.
61. A written Ministerial statement from the 28 November 2014 sought to set a National Policy and remove the ability of Councils to secure S106 contributions on small sites (i.e. 10 or less) and resulted in the National Planning Practice Guidance (NPPG) being changed. This was challenged by a consortium of Councils in the High Court who were successful and the change to the NPPG was removed. Chorley resisted the change to the NPPG and applications were processed through Committee rather than delegated decision (officers gave up their delegated powers).
62. The Government challenged the decision of the High Court in the Court of Appeal on four grounds and the outcome was that on the 13 May 2016 the decision gave legal effect to the written Ministerial Statement of 28 November 2014. The NPPG has been changed again but highlights that the Ministerial statement should be taken into account. The Ministerial Statement (28 November 2014) carries weight in the decision making process, as does the National Planning Policy Guidance.
63. The Court of Appeal judgement does however state that "the aim or goal of a policy's author is that his policy should be followed" this remains subject to "the proper operation of

s 38(6)” and that the policy guidance does not have to explicitly express that an alternative view can be reached as “the changes were introduced as policy, not binding law”. The judgement goes on to highlight “In the determination of planning applications the effect of the new national policy is that although it would normally be inappropriate to require any affordable housing or social infrastructure contributions on sites below the thresholds stated, local circumstances may justify lower (or no) thresholds as an exception to the national policy. It would then be a matter for the decision-maker to decide how much weight to give to lower thresholds justified by local circumstances as compared with the new national policy” (evidence submitted on behalf of the SofS).

64. The Council must determine what lower thresholds are appropriate based on local circumstances as an exception to National Policies and how much weight to give to the benefit of requiring a payment for one or two dwellings.
65. It is considered that the benefit of securing a public open space contribution on the basis of two dwellings would not be sufficient or carry significant weight to outweigh the national policy position. The benefit to the Council is the delivery of improvements to play space however the cost of managing the end to end process of delivering those improvements is high and not commensurate to the benefit. The likely success of delivering improvements is also in doubt due to the difficulty of identifying schemes to pool small amounts of money secured through Section106 agreements.
66. Therefore a POS commuted sum is not sought from this scheme.

#### Sustainability

67. Policy 27 of the Core Strategy requires all new dwellings to be constructed to Level 4 of the Code for Sustainable Homes or Level 6 if they are commenced from 1<sup>st</sup> January 2016. It also requires sites of five or more dwellings to have either additional building fabric insulation measures or reduce the carbon dioxide emissions of predicted energy use by at least 15% through decentralised, renewable or low carbon energy sources. 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.”*

68. Given this change, instead of meeting the code level the dwellings should achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations in accordance with the above provisions. This can be controlled by a condition.

#### **Community Infrastructure Levy**

69. 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 unless an exemption is applied for.

## CONCLUSION

70. The current built form on site is judged to detract from the openness of the Green Belt and harms the character and appearance of the locality. The proposed development will introduce a development of high quality and due to its scale and siting will not have a greater impact on the openness of the Green Belt. The redevelopment of this previously developed site is considered acceptable and complies with Local Plan Policy BNE5 and national policy. The development is also acceptable in respect of neighbour amenity, ecology and highways. Therefore the planning application is recommended for approval subject to conditions.

**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><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 approved plans below:</p> <table border="1"> <thead> <tr> <th>Reference</th> <th>Title</th> <th>Received</th> </tr> </thead> <tbody> <tr> <td>16/045/L01</td> <td>Location Plan</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/E01</td> <td>Existing Barn Plans &amp; Elevations</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/E02</td> <td>Existing Cottage Plans &amp; Elevations</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/G01</td> <td>Proposed Plan, Section &amp; Elevations</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/G02</td> <td>Proposed Plan, Section &amp; Elevations</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/P01</td> <td>Proposed Site Plan &amp; Street Scene</td> <td>28/03/2017</td> </tr> <tr> <td>16/045/P02</td> <td>Plot 1 – Proposed Plans &amp; Elevations (5H2645)</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/P03</td> <td>Plot 2 – Proposed Plans &amp; Elevations (4H1752)</td> <td>21/12/2016</td> </tr> <tr> <td>16/045/P04</td> <td>Plot 3 – Proposed Plans &amp; Elevations (5H2155)</td> <td>21/12/2016</td> </tr> </tbody> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning</i></p>	Reference	Title	Received	16/045/L01	Location Plan	21/12/2016	16/045/E01	Existing Barn Plans & Elevations	21/12/2016	16/045/E02	Existing Cottage Plans & Elevations	21/12/2016	16/045/G01	Proposed Plan, Section & Elevations	21/12/2016	16/045/G02	Proposed Plan, Section & Elevations	21/12/2016	16/045/P01	Proposed Site Plan & Street Scene	28/03/2017	16/045/P02	Plot 1 – Proposed Plans & Elevations (5H2645)	21/12/2016	16/045/P03	Plot 2 – Proposed Plans & Elevations (4H1752)	21/12/2016	16/045/P04	Plot 3 – Proposed Plans & Elevations (5H2155)	21/12/2016
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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>Before the development hereby permitted is first commenced, full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have</p>																														

	<p>been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
5.	<p>Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plan(s). The development shall be carried out strictly in conformity with the approved details.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>
6.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority. No part of the development hereby approved shall be occupied until the approved scheme has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i></p>
7.	<p>Foul and surface water shall be drained on separate systems.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p>
8.	<p>Prior to the commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions shall be submitted to and approved in writing by the Local Planning Authority.</p> <p>The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.</p> <p>The development shall be completed in accordance with the approved details.</p> <p><i>Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution. This condition is imposed in light of policies within the NPPF and NPPG.</i></p>
9.	<p>Prior to occupation of the development a sustainable drainage management and maintenance plan for the lifetime of the development shall be submitted to the local planning authority and agreed in writing. The sustainable drainage management and maintenance plan shall include as a minimum:</p> <p>a. Arrangements for adoption by an appropriate public body or statutory undertaker, or, management and maintenance by a resident's management</p>

	<p>company; and</p> <p>b. Arrangements for inspection and ongoing maintenance of all elements of the sustainable drainage system to secure the operation of the surface water drainage scheme throughout its lifetime.</p> <p>The development shall subsequently be completed, maintained and managed in accordance with the approved plan.</p> <p><i>Reason: To ensure that management arrangements are in place for the sustainable drainage system in order to manage the risk of flooding and pollution during the lifetime of the development.</i></p>
10.	<p>The detached garages of the properties hereby permitted shall be kept freely available for the parking of cars and shall not be converted to living accommodation (notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (as amended) or any order amending or revoking and re-enacting that order), unless the properties benefit from three off-road parking spaces within the curtilage.</p> <p><i>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking.</i></p>
11.	<p>No removal of or works to any hedgerows, trees or shrubs shall take place during the main bird breeding season 1st March and 31st July inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests immediately before the vegetation is cleared and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.</p> <p><i>Reason: Nesting birds are a protected species.</i></p>
12.	<p>The following Reasonable Avoidance Measures (RAMs) should be adopted in full during works associated with the approved development:</p> <ul style="list-style-type: none"> <li>▪ All excavations on site should be covered at night or a ramp should be provided to allow amphibians to exit excavations. All excavations should be checked for amphibians each morning prior to the re-commencement of any works.</li> <li>▪ All exposed new pipework and drains should be capped at night so as to avoid trapping amphibians.</li> <li>▪ All excavated materials/waste should be stored in skips or similar and not on the ground where it could be used as a refuge/resting area by amphibians. Alternatively all waste should be removed from site daily.</li> <li>▪ All stored building materials that might be used as temporary resting places by amphibians should be stored off the ground on pallets or similar.</li> <li>▪ Scaffold footings will be placed on sand to prevent newts taking temporary refuge underneath the footings.</li> <li>▪ If GCN are found at any time during works, then works should cease immediately and advice sought from a suitably qualified GCN ecologist.</li> </ul> <p><i>Reason: To protect amphibians from harm.</i></p>
13.	<p>During the construction period, all trees to be retained within the site or on the site</p>

	<p>boundaries shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
14.	<p>Given the proposed sensitive end-use, no development shall take place until:</p> <p>a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;</p> <p>b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;</p> <p>c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority for approval.</p> <p>Thereafter, the development shall only be carried out in full accordance with the approved remediation proposals.</p> <p><i>Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use. In accordance with Paragraph 121 of the National Planning Policy Framework (DCLG, 2012).</i></p>
15.	<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, proposed finished levels, means of enclosure, minor artefacts and structures. 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 comprise only native plant communities appropriate to the natural area.</p> <p>All hard and soft landscape works shall be carried out in accordance with the approved details within the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.</p> <p><i>Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design.</i></p>
16.	<p>Prior to the construction of the superstructure of any of the dwellings hereby</p>

	<p>permitted details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling will achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations. 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 reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
17.	<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>
18.	<p>No development shall take place until the applicant, or their agent or successors in title, has secured the implementation of a programme of archaeological work. This must be carried out in accordance with a written scheme of investigation, which shall first have been submitted to and agreed in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure and safeguard the recording and inspection of matters of archaeological/historical importance associated with the buildings and site.</i></p>