

Item A. 4	08/01079/OUTMAJ	Permit (Subject to Legal Agreement)
Case Officer	Mrs Nicola Hopkins	
Ward	Clayton-le-Woods North	
Proposal	Outline application for residential redevelopment incorporating ancillary open space, landscaping and associated infrastructure,	
Location	Radburn Works Sandy Lane Clayton-Le-Woods Chorley PR6 7RD	
Applicant	Harrow Estates Plc	
	3 letters of objection have been received Consultation expiry: 26th November 2008 Application expiry: 13th January 2009	
Proposal	<p>The application proposes the redevelopment of the Radburn Works site, Sandy Lane, Clayton le Woods. The application is outline with all matters reserved apart from access. It is proposed to create a new access into the site from Sandy Lane and close the existing access, which runs through the car park of the adjacent public house.</p> <p>Notwithstanding the fact that this application is outline it has been demonstrated that up to 100 dwellings can be accommodated on the site which range in height including 2, 2 and a half and 3 storey dwellings. These dwellings will consist of 3, 4 and 5 bedroom terraced, semi-detached and detached dwellinghouses.</p> <p>The site is 2.7 hectares in size. The erection of 100 dwellings on this site would result in a density of 37 dwellings per hectare which accords with Government advice contained in PPG3: Housing and will be in keeping with the character of the area.</p>	
Summary	<p>The proposal will incorporate the redevelopment of a brownfield site and will help to meet the RSS target of housing development on brownfield land. Additionally the scheme will contribute to the districts affordable housing targets. Although the site is an existing employment site due to the site constraints the amount of land which could be developed for employment use is minimal. The redevelopment of this site for residential use will benefit the visual appearance of the area, the setting of the adjacent Listed Building and the existing residents when compared to the authorised use. As such the scheme is considered to be acceptable.</p>	
Planning Policy	<p>National Polices: PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG17</p> <p>North West Regional Spatial Strategy (RSS): Policy DP1: Spatial Principles Policy DP7: Promote Environmental Quality Policy RDF1: Spatial Priorities Policy W3: Supply of Employment Land Policy W4: Release of Allocated Employment Land</p>	

Policy L4: Regional Housing Provision
Policy L5: Affordable Housing
Policy RT9: Walking and Cycling
Policy EM5: Integrated Water Management
Policy EM15: A Framework for Sustainable Energy in the North West
Policy EM16: Energy Conservation and Efficiency
Policy EM17: Renewable Energy

Adopted Chorley Borough Local Plan Review:

GN1: Settlement Policy- Main Settlements
GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats
GN9: Transport Accessibility
EP4: Species Protection
EP9: Trees and Woodland
EP17: Water Resources and Quality
EP18: Surface Water Run Off
HS4: Design and Layout of Residential Developments
HS5: Affordable Housing
HS6: Housing Windfall Sites
HS21: Playing Space Requirements
TR1: Major Development- Tests for Accessibility and Sustainability
TR4: Highway Development Control Criteria
TR18: Provision for pedestrians and cyclists in new developments
EM9: Redevelopment of Existing Employment Sites for Non-Employment Uses
Sustainable Resources Development Plan Document
Statement of Community Involvement

Planning History

The site has historically been used for industrial purposes which predate the Use Class Order. The existing structure on site is approximately 40 years old however buildings have stood on the site since before 1848. There are no controls over operations at the site for example hours of operation.

The site has been used as a concrete block manufacturing plant which incorporated a large building in a central location on the site. This use ceased in the 1980s. Tarmac then purchased the site and used it for the recycling of aggregates. This use ceased in May 2007. The applicants, Harrow Estates plc, purchased the site in December 2007.

Recent applications at the site are as follows:

02/00751/OUTMAJ- Outline application for Residential Development (2.8 hectares). Withdrawn

08/00739/SCREEN- EIA Screening Opinion. No EIA required

Applicant's Case

The following points have been submitted in support of the application:

- The site comprises previously developed land within a predominantly residential area
- The site lies in a highly sustainable location and is accessible by public transport.
- The former employment use is incompatible with the residential area and created significant nuisance and compliant from local residents.

- There is no quantitative or qualitative need to retain the site in employment use particularly in the context of the Council's c.29 year employment land supply which contrasts with a very modest housing land supply of 5.7 years
- The development would not result in the strategic housing requirement being materially exceeded.
- It is likely that the development of the site is necessary to ensure that the 5-year housing requirement is met.
- The proposed development will improve the setting of the adjacent listed building
- The proposed development will deliver an improvement to the residential amenity of adjacent occupiers, the visual amenity of the local area and the setting of the Listed Building
- There is considerable local support for the development proposal.
- The scheme is fully consistent with the development plan and national planning policy objectives.

Representations

3 letters of objection have been received raising the following concerns:

- As part of the traffic calming measures priority should be given to eastbound traffic (heading towards the M6) not westbound traffic
- Notwithstanding the traffic calming measures the proposal will result in a considerable increase in traffic passing two nearby primary schools at peak hours.
- Density out of keeping with the surrounding area
- A selection of bungalows for senior citizens and a maximum number of 80 dwellings would be more acceptable.
- The new access will result in headlights shining into bedroom and living room windows
- There are significant levels differences across the site which are not apparent on the plans
- Material was levelled across the site early this year which has resulted in higher land levels.

1 letter has been received not objecting to the application but raising concerns with the electricity supply in the area which has cut out in the past. Concerns about additional traffic have also been raised

1 letter has been received in favour of the site being developed but raising concerns with the height of the units between the site entrance and the public house which should be restricted to 2 stories. As any higher they will dominate the street scene and look out of context.

Councillor John Walker has made the following comments:

- The industrial site has always caused a problem to the residents due to noise, dust and wagons about the area
- The neighbours were delighted when they heard the site had been sold.
- Hopefully the application is in keeping with the rest of the area.

Councillor Eric Bell has made the following comments:

- Objections would definitely be received from residents if the site was retained for employment purposes due to years of dust, noise and traffic problems.
- Jobs provided on the site were minimal.

Consultations

Clayton le Woods Parish Council have no comments to make

Lancashire County Council (Ecology) have no objection to the proposal subject to various conditions/ informatives.

Lancashire County Council (Highways) have confirmed that the proposal appears to be acceptable for outline planning permission subject to the following comments:

- The internal road layout will have to be designed to adoptable standards
- Levels and road alignment at the site entrance will have to be designed to ensure no flooding
- The footpath needs widening
- Green areas in the middle of the highway will not be acceptable
- The parking areas do not meet the requirements

United Utilities have no objections subject to various conditions/ informatives and no drainage flows will be accepted into the public sewer system located to the south of the proposed site.

Corporate Director (Neighbourhoods) has no objections to the proposal provided that further investigation works are completed and any proposed remediation is carried out in accordance with the recommendations set out within the submitted report.

Lancashire County Council (Archaeology) have no objection subject to a condition requiring the applicants to undertake a programme of archaeological work

Lancashire County Council (Strategic Planning) considers that the proposed development conforms with the North West Regional Spatial Strategy

Environment Agency have no objection subject to various conditions/ informative

The Councils Urban Design Manager is content that that many of his pre-application comments have been incorporated into the final submission. However he has made further comments which have been forwarded to the agents for response.

Assessment

Principle of the development

The site is previously developed, brownfield land and has previously been occupied by Tarmac for recycling of aggregates. There is an existing single storey building on the site which is approximately 40 years old. A large proportion of the site, approximately 60%, is occupied by hardstanding. Additionally the site is located within the settlement boundary within the Local Plan. Access to the site is achieved through the car park of the adjacent Public House.

In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land. As such the principle of redeveloping the site accords with Government guidance.

Employment Land

Due to the previous use of the site the site falls to be considered under Policy EM9 of the Local Plan as Employment Land. In accordance with Policy EM9 an assessment is made into whether the site is suitable of being re-used for employment purposes. Sites which are identified as suitable are required to be marketed for employment purposes if the proposal is for a non-employment use.

The applicants have stated within the submitted Planning Statement that it is not necessary to market the site for employment purposes because it has been justified that the site is not suitable for employment re-use.

Chorley Council recently commissioned an Employment Land Review jointly with South Ribble and Preston Councils. This was published in August 2008 and includes this site. The review identifies the site as suitable for mixed-use development where a variety of uses would be appropriate.

The applicants have assessed the site against each of the various criteria set out within the Policy and have come to the following conclusions. The site is located on a bus route however part of the highway which serves the site is narrow, the current access runs through the car park of the adjacent public house and the character of the area is predominantly residential. The site, historically, has never employed large numbers of people and the last use as an aggregate recycling facility only employed 2 people, additionally there are various employment sites within the surrounding area. The redevelopment of the site will not prejudice other employers and the site would not be suitable for mixed use due to the proximity of the residential properties and the site constraints. The site does not serve an identified sector of demand and there are a number of employment sites in the locality.

In addition the applicants argue that the Local Plan identifies 42 hectares of employment land and the take up of employment land in the Borough remains slow. 38.46 hectares of allocated land remains on 11 key sites across the Borough which, based on previous take up rates, equates to 29 years supply and which excludes the 24 hectares of land at the former Royal Ordnance site.

In line with the Employment Land Review guidance officers have examined the precise mix and nature of uses on this site with consideration to policy, development requirements, character of the area and constraints. The assessment has confirmed that if housing and employment uses were located on this site whilst protecting the amenity of neighbouring residential areas, the adjacent listed public house building, trees with Tree Preservation

Orders and the creation of a new access the site would only realise a small and limited area for employment opportunities. The site is also within a predominantly residential area and there are alternative sites in the vicinity for employment.

As such it is not considered that the site represents the best example of an appropriate employment site within the Borough and is not particularly suitable for employment re-use. Therefore the site does not require marketing for employment re-use in line with the Supplementary Planning Guidance.

Housing Development

The proposal is an outline planning application for the redevelopment of the site for residential use. Although this outline application only fixes the access and deals with the principle of redeveloping the site for residential purposes indicative layout plans have been submitted and it is proposed to erect up to 100 dwellings on the site.

As the site falls to be considered brownfield land and the fact that the site is located within the defined settlement boundary the principle of redeveloping the site for housing is considered acceptable.

The site is relatively flat in terms of topography and there is an existing building on the site which is single storey. This building does not have any architectural merit and as such its retention is not considered necessary. The current vehicular access to the site is through the car park of the adjacent public house. It is proposed to close this access and create a access further to the east along Sandy Lane, this is close to an existing access point which is not currently utilised.

The surrounding area is predominantly residential and as such it is considered that the redevelopment of the site for residential purposes will be in keeping with the character of the area. In accordance with the Regional Spatial Strategy (RSS) housing figures the Council has a 5.7 year supply of housing however the applicants argue that the deliverability of this supply has not been demonstrated. As such the applicants argue that the redevelopment of this site will aid in achieving the housing requirement in the Borough.

Although the application is outline with all matters, apart from access, reserved an indicative Masterplan has been submitted which demonstrates up to 100 new dwelling units can be accommodated on the site. This will be split between 11 four/five bed detached units, 12 three/ four bed town houses and 77 three townhouses. The detached dwellings will be two storey high and will be located to the east of the site close to the protected trees. The 3/ 4 bedroom townhouses will be three stories high and located within central locations on the site. The 3 bedroom townhouses will be 2 and 2.5 stories and will be the most dominant property on the site.

The area is predominantly residential in character with residential properties located in close proximity to the site. Additionally there are land level differences between the application site and the adjacent pieces of land.

The immediate residential properties are located to the west of the site on Radburn Close and to the north of the site on Barley Field. The properties on Radburn Close are at a lower land level than the application site however there is the existing landscape corridor and Carr Brook between the existing properties and application site. The properties along this boundary will be 2/ 2.5 storey townhouses and the indicative masterplan indicates that a minimum of 30 metres between the proposed dwellings and the existing dwellings can be achieved. The properties on Barley Field are also located at a lower land level than the application site. The indicative layout plan details 2 and 2.5 storey dwellinghouses along this boundary. A minimum of 12 metres can be achieved between the existing dwellings and the proposed dwellings and the proposed dwellings will be orientated to ensure that a blank gable wall faces the existing dwellings. It is considered that dwellinghouses can be accommodated on the site whilst protecting the amenities of the existing and future residents and retaining adequate separation distances.

In accordance with Policy L5 of the Regional Spatial Strategy and Policy HS5 of the Adopted Local Plan and 20% on site affordable housing will be required as part of the development. This obligation will form part of the Section 106 Agreement associated with the development and the 20% provision will be split between 79% rented affordable units and 21% shared ownership affordable units. This split is based on local need in the area.

There was a previous outline application at the site for residential redevelopment in 2002 (02/00751/OUTMAJ). This previous application was withdrawn however prior to the withdrawal the application was recommended for refusal due to oversupply of housing within the Borough and the fact that the proposal did not comply with Policy EM9. Since the previous application the Regional Spatial Strategy has been adopted and an Employment Land Review has been undertaken.

It is considered that as the proposed housing will achieve the redevelopment of a brownfield site within the defined settlement boundary and will meet district targets in terms of providing affordable housing. As such redeveloping the scheme for housing is considered to be appropriate.

Open Space

The proposal incorporates elements of Public Open Space within the site. The provision will be in the form of a linear park connecting the central part of the site with the landscape corridor which runs along the west boundary of the site along Carr Brook. This provision will be secured by the associated legal agreement.

In accordance with Policy HS21 of the Local Plan and the Interim Planning Guidelines on New Housing Developments the development will be required to provide an off site playing field, 630 square metres of equipped play area and 1140 square metres of informal open space. This provision will form part of the Section 106 Agreement.

Trees and Landscape

The site incorporates areas of trees and vegetation some of which will be retained as part of the development and some of which will

be removed. A Tree Survey has been submitted with the application which includes details of all the trees on site.

46 individual trees, 9 groups of trees and an area of woodland have been surveyed as part of the tree survey. The survey identifies 20 individual trees and 9 groups of trees as low quality and value. 9 individual trees and 1 group of trees are identified as trees which could be removed for reasons of sound Arboricultural management.

The trees which have the highest amenity value are located to the east of the site and are subject to Tree Preservation Order 2 (Whittle le Woods/ Brindle) 1968. This amenity value relates mainly to the wildlife value and historic context of the trees. Additionally there has been more recent woodland planting along the eastern and south-east boundaries of the site which is in a reasonable condition. The survey states that the majority of the site has little in the way of conflicts in terms of tree cover. The mature tree cover and woodland area are significant features whose loss is unlikely to be mitigated even with extensive replanting.

There is extensive trees and vegetation along the western boundary which forms a landscape corridor along Carr Brook and the informal pedestrian link. This area of landscape is actually outside the site and does not form part of the tree survey. It does however form a valuable amenity source and screens the site from the adjacent housing estate.

The Council's Arboricultural Officer will assess the submitted survey and his comments will be reported on the addendum.

Ecology

As there is an existing building and trees on site the proposed redevelopment has the potential to impact on protected species. An Ecological Assessment of the site has been undertaken which has been assessed by Lancashire County Council's Ecologist.

The survey concludes that the site represents a habitat of negligible ecological value, there are no rare or noteworthy plant species recorded on the site and the site can be redeveloped for residential purposes without adverse impacts on wildlife.

The Ecologist considers continued protection of bats and breeding birds can be dealt with by appropriate conditions. In terms of landscaping and flora enhancement this can also be dealt with by appropriately worded conditions.

As such it is considered that the site can be redeveloped without adversely impacting on protected species or flora on the site. As such the proposal is considered to be acceptable in terms of Policy EM1 of the Regional Spatial Strategy, Government advice contained in PPS9 and Policies EP4 and EP9 of the Local Plan.

Flood Risk

The site falls within Flood Zone 1 and the site is located within 5m of Carr Brook which is a main river under the Environment Agencies jurisdiction. The river flows from the north along the western boundary of the site continuing to the south entering the Swansey Lane culvert. The capacity of this culvert is known to be

an issue and has caused flooding along Carr Brook in the past. As such a flood risk assessment has been produced for the site to assess the risk of flooding to the site.

The assessment states that the site is unlikely to be affected by fluvial flooding. The lowest part of the site is approximately 2.1 metres higher than the predicted 1 in 100 year flood level for the site. Three potential flood hazards have been identified which include overland flows from the steep wooded area to the east, surcharged artificial drainage systems and infrastructure failure.

Appropriate mitigation measures are recommended to intercept/divert the overland flows and the redevelopment of the site for residential purposes is likely to reduce the impermeable area resulting in a corresponding reduction in surface water run-off from the site.

The Environment Agency has no objection in principle to the proposal and considers that surface water can be adequately dealt with by condition

The assessment concludes that redevelopment of the site for residential purposes would be considered sustainable in terms of Flood Risk subject to the recommendations contained within the assessment.

Traffic and Transport

The proposal incorporates the redevelopment of the site for residential use. The site has previously been used for a number of purposes including an aggregate recycling facility which will have generated the movement of large vehicles. The current vehicle access to the site is via the car park of the adjacent public house which is a Grade II Listed Building. There is an additional access located along Sandy Lane which is not utilised. The proposal intends to incorporate a new vehicle access 90 metres to the east along Sandy Lane with the existing access through the car park to be closed.

The proposed development will generate more traffic than the previous use and as such a Traffic Assessment has been undertaken and forms part of the planning application.

There is public transport connections to the site including a bus stop close to the site. The 114 service operates from Chorley past the site to Preston. The redevelopment of the site will generate significantly less HGV traffic than the existing B2 use. The assessment concludes that the proposed development will only generate a marginally greater volume of traffic than the established use with only one additional vehicle every two minutes during the morning peak and less than one additional vehicle per minute during evening peak.

In order to improve the sustainability of the site and contribution to bus services in the area will be required to increase transport choices at the site. This will be achieved through the associated Section 106 Agreement.

The assessment also concludes that the proposed residential development would have no material impact on safety or capacity at the Sandy Lane/ Chorley Old Road and the Sandy Lane/

Westwood Road junctions. Additional assessments of the A6/ Westwood Road roundabout and A6/ Radburn Brow junction also conclude that the development will have no material impact on the operation of these junctions. In terms of the new access the assessment concludes that it will operate well within its design capacity.

As part of the redevelopment of the site the applicant proposes to improve pedestrian facilities in the vicinity of the site. These improvements include widening the Sandy Lane footway to 2 metres, the provision of a new footway (2 metres wide)/ cycleway (1.2 metres wide) on the northern side of Radburn Bridge which will result in a single carriageway over the bridge with priority given to westbound traffic and the provision of a footpath link to the footpath located adjacent to Carr Brook. These improvements will be secured through a separate Section 278 Agreement with the Highways Authority.

An informal footpath runs along the western boundary of the site adjacent to Carr Brook. As part of the redevelopment of the site it is proposed to create a footpath link from the site through the proposed linear park to this informal footpath link.

The submitted information indicates that 1.5 parking spaces will be provided per dwelling unit. However in accordance with Lancashire County Council's parking standards 2 parking spaces will be required for three bedroom dwellings with 3 parking spaces required for larger properties. The agents for the application have been advised of this requirement.

The Highways Engineer at Lancashire County Council has reviewed the Transport Assessment and the proposal and considers that the proposal is acceptable for outline planning permission. Comments have been made on the layout of the development which will be dealt with at reserved matters stage.

Public Consultation

In accordance with the Council's Statement of Community Involvement the applicants along with their agents undertook consultations with the community prior to submitting the formal application. This included a public exhibition and a presentation to the Parish Council.

In total 52 comments were received following the consultation exercise. The following amendments have been made to the proposal following this feedback. The number of three storey dwellings have been reduced and will be located within central locations on the site. The layout has been amended so that blank side elevations face the properties on Barleyfield where there is the potential for overlooking. Through discussions with service providers it has been identified that there is capacity within the existing services to accommodate the development. Traffic calming measures are proposed as part of the redevelopment which still maintain two way traffic and provide safe routes for pedestrians.

There are a number of concerns raised which have not led to amendments to the scheme. The submitted Record of Community Involvement seeks to justify this as follows. The density has not changed although concerns were raised in this respect. However

37 dwellings per hectare is relatively low and this density is only slightly higher than that of Barleyfield. Affordable housing will form part of the scheme as without this provision the proposal would be contrary to National, Regional and Local Planning Policy. The proposed site access meets national standards for both safety and visibility and will have ample capacity to accommodate the trip generation forecasts. The open space provision will be in accordance with the Local Plan Policies.

It is considered that the community involvement undertaken is in accordance with the Council's Statement of Community Involvement. Additionally this involvement resulted in changes which are reflected in the submitted application.

Sustainability

Following the adoption of the first policy document, Sustainable Resources Development Plan Document (DPD), within Chorley's new Local Development Framework (LDF), the new style Local Plan, September 2008 an Energy Efficiency/Resource Conservation Statement, which sets out how the development complies with the criteria of policy SR1 of the DPD, is required as part of the application.

The agents for the application have been made aware of this requirement and it is considered that the requirements can be dealt with at reserved matters stage.

To ensure that the future reserved matters applications accord with Policy SR1 of the Sustainable Resources DPD appropriately worded conditions will be attached to the recommendation in respect of reducing energy consumption.

Contamination

Due to the previous use of the site it is highly likely that contamination is present on the site. As such an geo-environmental assessment of the site has been undertaken and submitted as part of the application. The assessment identifies various sources of contamination across the site.

The Council's Environmental Services Section have reviewed the assessment and consider that subject to further investigation/remedial works contamination can be adequately dealt with on the site.

Impact on the Listed Building

The site is adjacent to the Lord Nelson Public House which is a Grade II Listed Building. Due to the proximity of the site to this Listed Building the impact of the proposal on the setting of the Listed Building is a consideration.

The Council's Conservation Officer has assessed the proposal and considers that the setting will be unharmed by the development as it will be set at a sufficient distance away from it. If anything the setting will be substantially improved.

Conclusion

The proposal will incorporate the redevelopment of a brownfield site and will help to meet the RSS target of housing development on brownfield land. Additionally the scheme will contribute to the districts affordable housing targets. Although the site is an existing employment site due to the sites specific constraints the amount

of land which could be developed for employment use is minimal. The redevelopment of this site for residential use will benefit the visual appearance of the area, the setting of the adjacent Listed Building and the existing residents when compared to the authorised use. As such the scheme is considered to be acceptable.

Recommendation **Permit Outline Planning Permission (Subject to S106 Agreement)**
Refuse if S106 Agreement is not signed prior to 13th January 2009

Conditions

1. An application for approval of the reserved matters (namely siting, scale, external appearance of the buildings and landscaping of the site) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

3. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

4. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate 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 details shall also demonstrate that the biodiversity resource within the application area will be enhanced as part of the proposals. 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.

Reason: In the interests of the amenity of the area and in accordance with Government advice contained in PPS9, Policy EM1 of the North West Regional Spatial Strategy and Policies No. GN5 and EP9 of the Adopted Chorley Borough Local Plan Review.

5. 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 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, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

6. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.

7. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. The application for approval of Reserved Matters shall be accompanied by full details of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show the on-site measures to be installed and implemented so as to produce a minimum of 10%, or locally set targets (whichever is the higher) in place at the receipt of the reserved matters, of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling, the implementation of sustainable urban drainage systems and the provision of storage space for recyclable waste materials and composting. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

10. The application for approval of Reserved Matters shall demonstrate and provide full details of how the design and layout of the buildings will withstand climate change. The scheme shall include details of the Code for Sustainable Homes Level, how the

proposals minimise energy use and maximise energy efficiency. All dwellings commenced after 2010 will be required to meet Level 3, all dwellings commenced after 2013 will be required to meet Level 4 and all dwellings commenced after 2016 will be required to meet Level 6 of the Codes for Sustainable Homes. No development shall commence until the scheme has been submitted to and approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area. In line with the objective of National Planning Policy contained in Planning Policy Statement: Planning, the Climate Change Supplement to PPS1, Policies EM16 and EM17 of the Regional Spatial Strategy and Chorley Borough Council's Sustainable Resources DPD.

11. No dwelling hereby permitted shall be occupied until the highway alterations to the site access with Sandy Lane have been completed in accordance with the details shown on plan reference Figure 3.1, or as otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

12. No dwelling hereby permitted shall be occupied until that part of the service road which provides access to it from the public highway has been constructed in accordance with plans which have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety and in accordance with Policy No.TR4 of the Adopted Chorley Borough Local Plan Review.

13. The outline planning permission hereby approved relates to the erection of upto 100 residential units. The application for reserved matters shall not exceed 100 residential units.

Reason: In the interests of the appropriate development of the site, to prevent intensification in the development of the site and in the interests of the visual amenities of the area. In accordance with Government advice contained in PPS3: Housing and Policy HS4 of the Adopted Chorley Borough Local Plan Review

14. Prior to the commencement of the development a strategy to attenuate surface water discharges shall be submitted to and approved in writing by the Local Planning Authority. The Strategy should demonstrate that existing Greenfield rates will be achieved. The surface water drainage scheme shall thereafter be completed in accordance with the approved strategy.

Reason: To reduce the risk of flooding at the site and in accordance with Government advice contained in PPS25: Development and Flood Risk.

15. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

16. The pedestrian and cycle improvements to Sandy Lane and Radburn Bridge specified in the drawings reference Figure 3.1 and Figure 3.2 received 14th October 2008, unless otherwise agreed in writing by the Local Planning Authority, shall be constructed and completed prior to the occupation of the dwellinghouses hereby permitted.

Reason: In the interest of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

17. Prior to the commencement of the development hereby permitted the further investigation works and any proposed remediation shall be carried out in accordance with the recommendations set out in the submitted Geo-Environmental Assessment Report prepared by Brownfield Solutions Ltd (reference AJH/C1307/865) and in accordance with a suitable remediation strategy. The further works shall include a

complete gas monitoring programme to adequately characterise risks to the proposed end users from ground gases; installation of suitable gas protection measures; investigation of the extent of hydrocarbons and of peat to identify removal or treatment as required; import clean cover into garden and landscaping areas (600mm and 450mm respectively) and validation of cover system. The further works and suggested remedial measures recommended in Section 9 and 10 of the submitted report.

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 and in accordance with Government advice contained in PPS23: Planning and Pollution Control

18. Upon completion of the remediation works a validation report containing any validation sampling results shall be submitted to and approved in writing by the Local Planning Authority.

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 and in accordance with Government advice contained in PPS23: Planning and Pollution Control

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, an amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

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 and in accordance with Government advice contained in PPS23: Planning and Pollution Control

20. No development shall take place until a programme of archaeological work has been implemented in accordance with a scheme of investigation which has previously been submitted to and approved in writing by the Local Planning Authority.

Reason: The site is situated within an area of known archaeological interest and, as such, the site should be appropriately excavated and the remains recorded and in accordance with Policy Nos. HT11 and HT12 of the Adopted Chorley Borough Local Plan Review.

21. Prior to the commencement of the development hereby permitted the vehicular access link through the car park of the Lord Nelson Public House shall cease to be used. Full details of the measures to be implemented to prevent vehicular access shall be submitted to and approved in writing by the Local Planning Authority. The details shall include details of the proposed pedestrian/ cycle link. The development thereafter shall be carried out in accordance with the approved scheme.

Reason: To ensure the acceptable development of the site and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.
