

APPLICATION REPORT – 18/00813/FUL

Validation Date: 24 August 2018

Ward: Clayton-le-Woods West And Cuerden

Type of Application: Full Planning

Proposal: Erection of 3 detached dwellings and extension to existing bungalow following demolition of storage barn, stables and outbuildings

Location: Berkeley Farm Shady Lane Cuerden Bamber Bridge Preston PR5 6AU

Case Officer: Mr Iain Crossland

Applicant: Ms Ann Woodhouse

Agent: Mr Chris Weetman

Consultation expiry: 10 October 2018

Decision due by: 24 May 2019

RECOMMENDATION

1. It is recommended that planning permission is granted subject to conditions and a Section 106 Agreement to secure a commuted sum payment towards the provision or improvement of public open space.

SITE DESCRIPTION

2. The application site is located in the Green Belt and comprises an equestrian centre, dwellinghouse and associated outbuildings to the western side of Cuerden Park. The application specifically relates to a strip of land running north to south alongside the stone wall that forms the boundary of the park. The site is characterised by this prominent wall and large mature trees around the periphery.
3. There are several buildings across the site including a series of red brick stables buildings, a bungalow, a large steel storage warehouse and several mobile structures with extensive areas of hardstanding used for outdoor storage.
4. The site has a single track providing access to Berkeley Drive, which is in different private ownerships. This track serves the existing bungalow and the outbuildings as well as converted former farm buildings on the eastern side of the track. This part of the site is characterised by buildings that have been converted to residential and office uses.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. This application seeks full planning permission for the erection of two detached dwellings, the conversion of existing stables buildings to a dwelling and an extension to the existing bungalow following demolition of the storage barn and outbuildings. It is proposed to erect two detached dwellings in place of the storage building and outbuildings to the south of the bungalow. The new dwellings would back onto Shady Lane, as does the existing bungalow.

6. The stables to the north of the site form a courtyard arrangement with the existing bungalow and would be converted to form a new dwelling and extension of the habitable accommodation serving the existing bungalow.
7. All dwellings would be serviced by the existing driveway from Berkeley Drive. The proposal also includes two detached garages to serve the dwellings and a turning head to the south of the proposed development.
8. It is noted that the scheme originally included the demolition of the stables and erection of three new dwellings, however, this has since been amended through the retention and conversion of the stables and erection of only two new build dwellings.

REPRESENTATIONS

9. Representations in objection have been received from the occupiers of six addresses. These raise the following issues:
 - Modern two storey houses are not in keeping with the character of the area.
 - Impact on privacy.
 - Maintenance of the driveway
 - Impact on highway safety
 - Access arrangements for the use of the private access roads.
 - 87 dwellings are proposed with access to Nell Lane.
 - There has been no consideration to the character of the area.
 - Harm to the historic significance of the heritage assets.
 - Ecological impact.
 - Impact on the Green Belt.
 - No exceptional circumstances.
 - Loss of trees.
 - Parking provision.

CONSULTATIONS

10. Cuerden Parish Council: Have commented that the proposals are out of keeping with the area and seem to contravene the Local Development Plan in relation to Green Belt and Heritage assets.
11. Greater Manchester Ecology Unit: Have no objection subject to conditions.
12. Lancashire Highway Services: Have no objection subject to conditions.
13. United Utilities: Have no objection.
14. Cuerden Valley Park Trust: Have concern over the use of the private drive and the financial implications towards the upkeep of the unadopted road. Also have concern about the introduction of a double gate at the southern end of the proposed development, which appears to obstruct or alter the right of access over the existing track to access Cuerden Valley Park with farm machinery.
15. The Wildlife Trust for Lancashire, Manchester & North Merseyside: Support the ecological advice proffered by the Greater Manchester Ecology Unit and do not have specific comment in their role as the occupants of 'The Barn' on nearby Berkeley Drive. They have advised the applicant to liaise with the Cuerden Valley Park Trust if that has not already occurred.

PLANNING CONSIDERATIONS

Principle of the development and impact on the Green Belt

16. The application site is located wholly within the Green Belt.
17. National guidance on Green Belt is contained in Chapter 13 of the Framework which states:

133. *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.*

134. *Green Belt serves five purposes:*

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

143. *Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.*

144. *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 resulting from the proposal, is clearly outweighed by other considerations.*

145. *A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:*

- g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or*
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.**

18. The application site is in use for equestrian activities and residential use and as such is considered to be previously developed land in the Green Belt.
19. This part of Cuerden is not specified as an area for growth within Core Strategy Policy 1 and falls to be considered as an 'other place'. Criterion (f) of Core Strategy Policy 1 reads as follows:
"In other places – smaller villages, substantially built up frontages and Major Developed Sites – development will typically be small scale and limited to appropriate infilling, conversion of buildings and proposals to meet local need, unless there are exceptional reasons for larger scale redevelopment schemes." The proposed development would be small scale.
20. Policy BNE5 of Chorley Local Plan 2012 – 2016 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.

21. 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'.
22. It is considered that in respect of the Framework that the existing site currently has an impact on the openness of the Green Belt. However, it is important to note that merely the presence of existing buildings 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".
23. Whether the proposed building has a greater impact on openness is a subjective judgment which is considered further below. Objective criteria could include the volume of the existing buildings although it is important to note that the Framework does not include such an allowance or capacity test. To engage with the exception of paragraph 145.g) of the Framework, which is reflected in policy BNE5 of the Chorley 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.
24. The part of the application site upon which the two new dwellings and detached garages would be located comprises a large steel storage warehouse and several mobile structures with extensive areas of hardstanding used for outdoor storage.
25. The proposed dwellings would be positioned partially within the footprint of the main storage building and entirely within the area of hardstanding. The volume of the existing steel storage building itself is greater than that of the two proposed new build dwellings and garages, even before considering the removal of the mobile structures. The proposed dwellings and garages would have a smaller footprint in comparison with the footprint of the existing steel storage building, although the height of the proposed dwellings would be slightly taller than this structure.
26. Given these factors, it is considered that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development and as such would not represent inappropriate development in the Green Belt.
27. With regards to the conversion of the existing stables building to a dwelling, and to provide an extension to the habitable accommodation at the existing bungalow, the Framework sets out that certain other forms of development are also not inappropriate in the Green Belt provided that they preserve openness and do not conflict with the purposes of including land within the Green Belt. Paragraph 146.d) allows for the re-use of buildings provided that the buildings are of permanent and substantial construction.
28. This is reflected in policy HS9 of the Chorley Local Plan 2012 – 2026, which allows for the re-use of existing buildings in the Green Belt subject to the following criteria being met:
 - a) The proposal does not have a materially greater impact on the openness of the Green Belt and the purposes of including land in it;
 - b) The proposal would not harm the character or quality of the countryside or landscape;
 - c) The re-use of the building must not be likely to result in additional farm buildings which would have a harmful effect on the openness of the Green Belt;
 - d) If an agricultural building, it is not one substantially completed within ten years of the date of the application;
 - e) The building is of permanent and substantial construction and capable of conversion without more than 30% reconstruction;
 - f) The building must be capable of conversion without the need for additions or alterations which would change its existing form and character. Particular attention will be given to

curtilage formation which should be drawn tightly around the building footprint and the requirement for outbuildings, which should be minimal;

g) The building must already have, or there exists the capability of creating, a reasonable vehicular access to a public highway that is available for use without creating traffic hazards and without the need for road improvements which would have an undue environmental impact;

h) The development would not result in the loss of or damage to any important wildlife habitat or protected species.

29. The existing stables are traditional brick structures of substantial construction and would be converted in their entirety, with no additions or extensions required. As such there would be no impact on openness and the development would not conflict with any of the purposes of the Green Belt. The development would not harm the character of the buildings and it is noted that a number of nearby buildings have already been converted to dwellings and office uses. As such the development would be in line with policy HS9 of the Chorley Local Plan 2012 – 2026 and it is not considered that it would represent inappropriate development in the Green Belt.
30. In addition to the above, it is considered that the proposed development would not interfere with any of the five purposes of the Green Belt.

Impact on character and appearance of the locality

31. The application site is located to the south west of Cuerden Hall and comprises a traditional red brick stables building set out in a courtyard arrangement, and incorporating a dwelling. There is also a large steel storage shed and various mobile structures in addition to areas of outdoor storage. The site is prominent from Shady Lane and Berkeley Drive and the boundary wall, and stables in particular, form a distinctive boundary with Shady Lane, which is adjacent to the site. The stables building is a low level structure, which reflects other buildings to the east of the site that previously formed part of the same site but have since been converted to other uses. The stables building contributes positively to the character of the locality, whilst the remainder of the site to the south, and in particular the steel shed, detracts from the appearance of the site and character of the area.
32. The application originally proposed the development of three new build dwellings and the demolition of the stables building. This was since revised following negotiations between planning officers and the applicant resulting in a scheme for the retention and conversion of the stables building and erection of two new build dwellings. The conversion of the stables building and retention of the existing boundary wall with Shady Lane are positive aspects of the proposed development that would secure these existing structures for the future and maintain the character of the area. As this is the most sensitive part of the site in terms of its appearance and as part of the character of the locality the retention of the stables buildings is an important amendment to the scheme that would ensure the character of the area is not harmed.
33. The proposed new build dwellings are of standard traditional design and would be located to the south of the site, where they would be visible from Shady Lane beyond an existing boundary wall and mature trees that would be retained. The retention of the trees would help to soften the development, retain character and filter any views of the proposed dwellings. Although the new build dwellings would differ in form and appearance from the converted buildings to the north east of the site they are not dissimilar to existing dwellings on the opposite side of Shady Lane at Cuerden Cottage and at numbers 1 and 2 Nell Lane, and would not, therefore, be out of context in this locality. In addition the two new build dwellings would replace an existing steel shed of industrial appearance and unsightly mobile structures, which would result in a positive outcome in terms of the appearance of the site.
34. Overall it is not considered that the proposed development would be harmful to the character of the area, and would have a positive impact on the appearance of the application site.

Impact on neighbour amenity

35. The application site is essentially split between the new build elements and the stables building that would be converted. As the stables exist currently their conversion would have very little impact upon the nearest dwelling at Bothy Cottage. No facing windows would be introduced facing Bothy Cottage and there would be no unacceptable impact on privacy as a result.
36. The proposed new build dwellings would face Woodcutters Cottage to the east. The dwelling at plot 3 would face the garden of this property at a distance of approximately 13m, and there would be windows to bedrooms at first floor in the front elevation. The Council's interface standards state that "*Windows to habitable rooms at first floor level which overlook neighbouring garden areas should be a minimum of 10 metres from the boundaries they face.*" Plot 3 would exceed this minimum standard by a distance of 3m. It is also noted that the garden area at Woodcutters Cottage is unusually large and that this does not form the most private outdoor space at the property, with a more private courtyard to the north providing this function.
37. The dwelling at plot 2 would face the western elevation of Woodcutters Cottage at a distance of approximately 12m. There are no facing windows in the western elevation of this dwelling and the courtyard area beyond would be over 18m away, therefore, no unacceptable loss of privacy would occur.
38. In terms of the interface distances between the proposed properties themselves, these are considered to be acceptable in relation to the Council's guidelines. The proposal is, therefore, considered to be acceptable in terms of the relationship with the existing surrounding properties and between the proposed properties themselves.

Impact on non-designated heritage assets

39. The site is located on what was once part of the Cuerden Hall estate, being adjacent to the former kitchen gardens, and dates back to the early 19th Century. The building at the northern end of the site appears to have been originally constructed as stables, probably for horses that worked the land rather than those that pulled the fine carriages that would have been used by the occupants of the hall. The other buildings currently occupying the site are modern and of no historic interest.
40. At the time of listing, 1984, the building had long been separated, in terms of ownership and use, from Cuerden Hall. The estate had been significantly fragmented in the 1950s when significant parcels were sold at auction, including the buildings that then occupied the application site. That being the case the building that occupies the northern part of the site, whilst it was extant as at 1 July 1948, does not fall within the curtilage of Cuerden Hall because of the aforementioned position at the time of listing.
41. Notwithstanding this the stable building is nonetheless of some historic significance, sufficient to warrant its classification as being a 'heritage asset' as defined by Annex 2 to the Framework.
42. The southern half of the site is currently occupied by a significant collection of scrap metal and other items and a modern portal framed building and is of less concern from a heritage perspective. This part of the site was historically open land. Whilst the proposed dwellinghouses are perhaps of a somewhat standard design, they are inoffensive and not dissimilar to others to be found on the opposite side of Shady Lane. The replacement of the current steel shed building, mobile structures and outdoor storage that cover this part of the site would considerably enhance the setting of the stables building.
43. Since the original submission the applicant has submitted amended plans that see the retention of the stables building and its conversion to residential use. As a result of the amendments the essential character and appearance of the stables buildings would be retained and respected, and as such it is considered that the proposed development would be acceptable as it would sustain the significance of the heritage asset.

44. It is, therefore, considered that the proposed development would be in conformity with section 16 of the Framework, policy 16 of the Central Lancashire Core Strategy and policy BNE8 of the Chorley Local Plan 2012 – 2026.

Highway safety

45. The site is to be accessed from Berkeley Drive via an internal access road. Both of these access roads are un-adopted and would require the owners' consent for use to access the proposed development. Consents for the use of access are a private matter between parties and should not normally be treated as material considerations in planning applications. The application demonstrates that access is achievable, subject to any private dispute being resolved, and, therefore, the proposed development should be assessed in relation to the physical nature of that access rather than whether any right of access agreement is in place.
46. The internal access road serving the site has no footways, however, its width is noted to be 5.0m and over at some sections. This width is adequate to ensure safe shared use by pedestrians and cars, however, it is noted that HGVs and agricultural machinery and tractors associated with other properties and Berkeley Farm often use the access road, raising pedestrian safety concerns if footways are not provided.
47. While LCC Highways would not insist on footways being provided to separate pedestrian walking areas from vehicles, given the straight alignment of the access road, there is potential for vehicles to travel at high speeds at the risk of pedestrian safety, especially children, the elderly and other vulnerable pedestrians. Therefore, as the greater length of the access is within the applicant's boundary, LCC Highways requested measures incorporated in the design of the proposed layout to control vehicular speeds.
48. LCC Highways does not normally adopt developments less than 5 dwellings and where the development is served by privately maintained access roads. The development would therefore remain private, but, the applicant is encouraged to create a layout that is to an adoptable standard to ensure safe and satisfactory access. The applicant has agreed to provide a speed control measure in this regard by introducing road humps at two locations, which is considered to be an acceptable solution.
49. The site plan demonstrates that off street parking of sufficient size to accommodate at least three cars per dwelling can be provided. On this basis, the scheme complies with the parking standards specified in policy ST4 of the Chorley Local Plan 2012 – 2026.

Ecology

50. The information submitted with the application includes a bat and bird survey. This survey has been undertaken by a licensed and experienced ecological consultant whose work is known to the Greater Manchester Ecology Unit (GMEU), who are the Council's ecology advisors. It is considered that the ecological consultant has undertaken a detailed survey of the site and carried out an appropriate level of survey.
51. The survey found that while some of the buildings on site have moderate bat roosting potential, no evidence of a bat roost was detected. The proposal should, therefore, have no impact on bats. However, as bats are highly mobile creatures it is advised that an informative be attached to any permission to remind any developer that under the Habitat Regulation it is an offence to disturb, harm or kill bats. If a bat is found all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s).
52. Evidence of swallow were found at the site. The surrounding trees and scrubs may also be used by nesting birds. As all wild birds, their nest and eggs are protected under the Wildlife and Countryside Act 1981 (as amended) any demolition and clearance works should take place outside of the main bird breeding season, and therefore an appropriate condition is recommended.
53. A scheme for the provision of mitigation measures for the loss of swallow nesting sites and provision of bat roosting features should be provided. It is anticipated that any such scheme

shall include measures to enhance biodiversity at the site, in line with the requirements of the Framework. It is therefore recommended that a scheme for mitigation and biodiversity enhancement be required by condition.

Trees

54. There are mature trees within the site along the western site boundary adjacent to Shady Lane. These are protected by a group Tree Preservation Order (TPO). A tree survey has been submitted by a qualified arborist in support of the application, which accurately represents the situation. The trees make a valuable contribution to the character of the area and appearance of the site as they are highly prominent. As such extensive retention is required. All the trees on or bordering the site have been surveyed and it is identified that several trees would need to be removed to give a feasible development footprint. The trees to be removed are mostly unclassified Sycamores, whilst the majority of trees would be retained.
55. The retention of the majority of trees is welcomed, whilst the limited tree removal proposed is accepted, given the nature of the proposed development. The extent of tree removal proposed would have a limited impact on the appearance of the site, given the nature of the trees to be removed and level of retention. The selective removal of trees also has the potential to benefit those remaining trees and better specimens through removing competition. Overall it is considered that the proposal level of removal is acceptable to enable the development to proceed, however, it is recommended that the trees to be retained are protected below ground by suitable fencing to prevent soil disturbance and compaction in root protection areas throughout the course of development.

Public open space

56. Policy HS4 of the Chorley Local 2012 - 2026 requires public open space contributions for new dwellings to be provided in order to overcome the harm of developments being implemented without facilities being provided.
57. However, the National Planning Practice Guidance (NPPG) post-dates the adoption of the Local Plan and states that planning obligations should not be sought from developments of 10 or less dwellings and which have a maximum combined floorspace of no more than 1000 square metres.
58. In the determination of planning applications, the effect of the national policy, which was issued in 2016 following a Court of Appeal judgement, 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.
59. 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 10, or fewer, dwellings.
60. The Council has agreed to only seek contributions towards provision for children/young people on developments of 10 dwellings or less.
61. There is currently a deficit of provision in Clayton Le Woods West and Cuerden ward in relation to this standard. A contribution towards new provision in the Clayton Le Woods West and Cuerden ward is therefore required from this development. The amount required is £134 per dwelling. A financial contribution for off-site provision can only be requested if there is an identified scheme for new provision. There is an identified scheme for new play equipment at Site Ref: 1715 Broom Close Play Area.

CIL

62. 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 would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

Other matters

63. Maintenance of the driveway: The maintenance of private access roads is a matter to be agreed between the landowner and those with, or seeking, a right of access. This is not a material planning consideration.

64. 87 dwellings are proposed with access to Nell Lane: It is noted that there is an application for the development of 87 dwellings on a nearby land parcel with access to Nell Lane, however, each application must be treated individually of one another and on its individual planning merits.

CONCLUSION

65. It is considered that the proposed development would not be inappropriate development as the proposal represents the redevelopment of previously developed land and conversion of an existing building, which would not have a greater impact on the openness of the Green Belt. The impact on the character and appearance of the area is considered to acceptable, and there would be no impact on the significance of any heritage assets. There would be no unacceptable impact on neighbour amenity and there would be no adverse impact on highway safety, ecology or trees.

RELEVANT HISTORY OF THE SITE

There is no relevant planning history.

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 for one dwelling shall be carried out in accordance with the following approved plans:</p> <table border="1"> <thead> <tr> <th>Title</th> <th>Reference</th> <th>Received date</th> </tr> </thead> <tbody> <tr> <td>Location plan</td> <td>KM/18/06/010</td> <td>24 August 2018</td> </tr> <tr> <td>Site plan</td> <td>KM/18/08/020B</td> <td>19 March 2019</td> </tr> <tr> <td>Stable building conversion plans and elevations</td> <td>KM/18/08/105</td> <td>19 March 2019</td> </tr> <tr> <td>Plot 2 plans and elevations</td> <td>KM/18/08/045A</td> <td>12 November 2018</td> </tr> <tr> <td>Plot 3 plans and elevations</td> <td>KM/18/08/050A</td> <td>12 November 2018</td> </tr> <tr> <td>Garage plans and elevations</td> <td>KM/18/08/080</td> <td>12 November 2018</td> </tr> </tbody> </table>	Title	Reference	Received date	Location plan	KM/18/06/010	24 August 2018	Site plan	KM/18/08/020B	19 March 2019	Stable building conversion plans and elevations	KM/18/08/105	19 March 2019	Plot 2 plans and elevations	KM/18/08/045A	12 November 2018	Plot 3 plans and elevations	KM/18/08/050A	12 November 2018	Garage plans and elevations	KM/18/08/080	12 November 2018
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	<i>Reason: For the avoidance of doubt and in the interests of proper planning.</i>
3.	<p>Prior to the erection of the superstructures of the new build dwellings hereby approved 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, other than demolition and enabling works, 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>
5.	<p>All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.</i></p>
6.	<p>Prior to the commencement of the development, other than demolition and enabling works, details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each new build dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.</p> <p><i>Reason: Policy 27 of the Adopted Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4 however following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. However as Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.</i></p>
7.	<p>No new build 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>

8.	<p>Prior to the erection of the superstructures of the dwelling hereby approved full details of the alignment, height and appearance of all fences and walls and gates to be erected (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents.</i></p>
9.	<p>No part of the development hereby approved shall commence, other than demolition and enabling works, until a scheme for re-grassing of the highway verge and the off-site works of highway improvement (removal of planters and reinstatement highway verge and kerbs) has been submitted to and approved by the Local Planning Authority in consultation with the Highway Authority.</p> <p><i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme are acceptable before work commences on site.</i></p>
10.	<p>No part of the development hereby approved shall be occupied until the approved scheme for re-grassing of the highway verge and the off-site works of highway improvement has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: To avoid the possibility of potential highway hazards and to maintain the construction of Sandy Lane in the interest of highway safety.</i></p>
11.	<p>Facilities shall be provided for the cleaning of the wheels of vehicles leaving the site, before the development hereby permitted is first commenced and thereafter retained at all times during construction of the development.</p> <p><i>Reason: To prevent the tracking of mud and/or the deposit of loose material on to the highway, in the interests of highway safety.</i></p>
12.	<p>Foul and surface water shall be drained on separate systems. Surface water shall be drained in accordance with the hierarchy of drainage options in national planning practice guidance. In the event of surface water discharging to public sewer, the rate of discharge shall be restricted to the lowest possible rate which shall be agreed with the statutory undertaker prior to connection to the public sewer.</p> <p><i>Reason: To secure proper drainage and to manage the risk of flooding and pollution.</i></p>
13.	<p>The development hereby approved shall be carried out in accordance with the details contained in the approved Tree Protection Plan (Drawing No. 0926/TCP/001 with the tree survey received 24 August 2018). All remaining trees must be fully safeguarded in accordance with BS5837.2012 for the duration of the site works unless agreed in writing with the Local Planning Authority.</p> <p><i>Reason: To protect habitat for roosting bats and safeguard the trees to be retained.</i></p>
14.	<p>No removal of or works to any hedgerows, trees or shrubs works to or demolition of buildings or structures that may be used by breeding birds shall take place during the main bird breeding season 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation and buildings for active birds' nests immediately before the vegetation is cleared and the buildings are</p>

	<p>demolished 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>
15.	<p>The development hereby approved shall be carried out in accordance with the mitigation and biodiversity enhancement measures set out in paragraph 11.3 and Appendix II of the ecological survey and assessment report by The Tyrer Partnership, dated 09 October 2017.</p> <p><i>Reason: Due to the loss of swallow nesting and bat roosting opportunities at the site and need for biodiversity enhancement.</i></p>
16.	<p>No development shall commence until a Scheme for the provision of off-site public open space in accordance with the principles of Policies HS4A and HS4B of the Adopted Chorley Local Plan 2012-2026 has been submitted to and approved in writing by the Local Planning Authority. The dwelling(s) hereby approved shall not be occupied until the approved Scheme has been implemented.</p> <p><i>Reason: The provision of off-site public open space is a requirement of the Development Plan and therefore a scheme or mechanism to deliver the requirements of the development plan are essential to make the development acceptable. A suitable scheme has not been submitted as part of the application and is needed prior to the commencement of the development to ensure a suitable scheme can be agreed.</i></p>