

## APPLICATION REPORT – 22/00164/FUL

**Validation Date: 5 April 2022**

**Ward: Croston, Mawdesley And Euxton South**

**Type of Application: Full Planning**

**Proposal: Erection of 3no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings**

**Location: Wilbrook Blue Stone Lane Mawdesley Ormskirk L40 2RG**

**Case Officer: Mike Halsall**

**Applicant: Mr Simon Malcolm**

**Agent: Mr Christie McDonald, Steven Abbott Associates LLP**

**Consultation expiry: 17 November 2022**

**Decision due by: 10 February 2023 (Extension of time agreed)**

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### RECOMMENDATION

1. It is recommended that planning permission is granted, subject to conditions and a S106 legal agreement to secure a financial contribution of £402 for the provision of public open space.

### SITE DESCRIPTION

2. The application site is located within the Green Belt and is comprised of a detached dwellinghouse and its curtilage, and land which has lawful domestic use that has been confirmed through the granting of a certificate of lawfulness. The land is occupied by various buildings and associated hard standing. To the rear of the site is agricultural land, and the site is viewed in the context of linear development of residential properties along Blue Stone Lane.
3. The site falls to be considered as previously developed land, as defined in the National Planning Policy Framework (the Framework) at Annex 2.
4. Planning permission was refused on 9 December 2020 by the Council's Planning Committee, against officer recommendation, for the erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings on this site. The reason for refusal was as follows:

*Due to the number of dwellings proposed and the regimented layout, with a cramped arrangement of parking and hardstanding areas which dominate the scheme, the proposal would result in overdevelopment of the site, to the detriment of the character and appearance of the area. The design of the proposed development is, therefore, contrary the National Planning Policy Framework, the Core Strategy and Policy BNE1 of the Chorley Local Plan 2012 – 2021.*

5. An appeal against the Council's refusal to grant planning permission was subsequently dismissed by the Inspector.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. The application seeks planning permission for the erection of 3no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings.
7. The applicant has sought to overcome the previous reason for refusal by lowering the density of the proposed development by reducing the number of proposed dwellings from 4no. to 3no. and proposing a variety of dwelling designs.

## **REPRESENTATIONS**

8. One representation has been received in support of the proposal.

## **CONSULTATIONS**

9. Greater Manchester Ecology Unit: Initially responded to recommend that the ecological assessments undertaken in support of the previous planning application are reviewed and updated as necessary in support of the current application. Such an assessment was undertaken, and the findings submitted in support of the application. The Council's ecological advisors subsequently responded with no objection to the proposal, subject to conditions.
10. Lancashire County Council Highway Services (LCC Highway Services): Initially responded to recommend the refusal of the planning application on highway safety grounds unless adequate sight lines and a new footway could be provided. The applicant subsequently revised the submitted drawings to the satisfaction of LCC Highway Services who responded with no objection to the proposal, subject to conditions.
11. Mawdesley Parish Council: Have responded in objection to the proposal, stating that *"This is a clear example of building on greenbelt land placing greater demands on rural roads, utility networks in addition to experiencing the irreversible loss of countryside."*
12. United Utilities: Have responded with their template letter suggesting conditions be attached to secure the sustainable drainage of the site and informative notes for the applicant with regards to United Utilities' assets.

## **PLANNING CONSIDERATIONS**

### Principle of development in the Green Belt

13. The application site is located within the Green Belt and falls within the definition of previously developed land provided within the Framework. Section 13 of the Framework confirms that 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.
14. Development will only be permitted within the Green Belt, in accordance with the Framework, if it is considered appropriate development or where very special circumstances can be demonstrated. The Framework confirms that '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.
15. Paragraph 149 of the Framework states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt but lists a number of exceptions. One exception listed at paragraph 149 of the Framework of development that need not be considered inappropriate development in the Green Belt is the 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.

16. Whilst the test for sites such as this relates to the impact on openness, the Framework does not contain a specific definition of 'openness'. It is a subjective judgment which is considered further below, along with objective criteria of making that assessment. It is considered that in respect of the Framework, 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 an existing building on the 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".
17. To engage with the exceptions of paragraph 145 of the Framework, which is reflected in policy BNE5 of the Chorley Local Plan 2012 – 2026, 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 site.
18. This part of Mawdesley 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."
19. Policy BNE5 relates to the redevelopment of previously developed sites in the Green Belt and states that redevelopment of previously developed sites in the Green Belt will be permitted providing that 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.
20. Whether harm is caused to openness depends on a variety of factors such as the scale of the development, its locational context and its spatial and/or visual implications. At present, the site is occupied by a large detached bungalow and a number of associated outbuildings which are spread across the site, including a double access / driveway and associated hardstanding areas. The presence of this existing development already causes harm to openness by its mere existence; and case law has established that for there to be a greater impact, there must be something more than merely a change.
21. The proposal involves the demolition of all existing buildings which occupy the site, in order to offset the harm caused to openness which would arise from the proposed development. In volumetric terms, the proposed dwellings would have approximately 14% uplift in volume compared to the existing volumes provided in the application. It would, however, have a reduced footprint of approximately 8% compared to the existing buildings.
22. When considering the increase in volume, national policy allows for the replacement of a building provided, among other things, that they are not materially larger. The Council considers that a volume increase of up to 30% is not 'materially larger'. Accordingly, when applying this approach, the proposed volume increase of approximately 14% above existing volumes would not be a material increase, when considering the impact on the openness of the Green Belt.
23. The proposed dwellings would be spread across the site with two of one and a half storeys and one of two storeys in height. The existing buildings are approximately 2 metres lower in height. The proposed dwellings would have a relatively uniform layout with a smaller footprint, with the built form located closer to the road frontage, and gardens backing onto the fields. Although there would be a change in how the site appears visually, when taking the above factors into account it is not considered that the redevelopment of the site for 3no. dwellings would have a greater impact on the openness of the Green Belt than the existing development.
24. The proposal is considered to accord with exception (g) of paragraph 149 of the Framework and is not, therefore, inappropriate development in the Green Belt.

25. In relation to the scale of development in an 'other area' as identified by policy 1(f) of the Central Lancashire Core Strategy the proposed development is not major development and, therefore, falls to be considered small scale. As such it is considered that the proposed development is compliant with policy 1(f) of the Central Lancashire Core Strategy.

#### Impact on the character and appearance of the area

26. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials; and that the layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area.
27. The site is already in domestic use as a single dwellinghouse with associated land and outbuildings which have a lawful domestic use. The appearance of the site is already residential, albeit there is only 1no. dwelling. The proposal includes 3no. detached dwellings set in a relatively uniform layout with each dwelling having its own vehicular access. The proposed dwellings would be set back from the road, but still providing a frontage.
28. As opposed to the previously refused proposal, this revised scheme offers a lower density layout with three dwellings of differing designs and appearances, whilst maintaining some consistent features (albeit house Type B and C are mirror images of one another). The dwellings feature sections of horizontal cladding to reflect the agricultural characteristics of the site and surroundings with feature gables to the front elevation. The design is consistent with that of nearby contemporary examples and the site layout is far less regimented than the previous proposal, whilst still respecting the general form of development in the surrounding area.
29. It is considered that this latest proposal overcomes the reason for refusing the previous planning application and it would not be harmful to the character and appearance of the area. The proposed development is considered to accord with policy BNE1 of the Chorley Local Plan 2012 -2026 in respect of design considerations.

#### Impact on neighbouring amenity

30. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026 stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development the proposal would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact; and that the proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses.
31. No neighbour objections have been received in relation to this proposal. Plot 3 / House Type C would be situated adjacent to the existing property known as 'Sherwood' which is a detached bungalow. It would be located slightly closer to this neighbouring property than the existing dwellinghouse. There is a habitable room window in the south facing elevation of Sherwood that faces the application site. The proposed position of House Type C would however ensure that this window does not directly face the side elevation of the proposed dwelling. Further, the window is a secondary window serving the bedroom, with the main, much larger window, being positioning to the front of the dwelling. There would, therefore, be no unacceptable impacts upon this window in terms of loss of light or outlook. There would be no habitable room windows at first floor in the side elevation of the proposed dwelling facing this neighbouring dwelling. In addition, there would be no breach of the 45 degree guideline when measured from the nearest habitable room to the rear elevation of Sherwood.

32. Other neighbouring dwellings are well separated from the application site so as to not be adversely impacted upon by overlooking, loss of privacy or overbearing effect.
33. Each proposed dwellinghouse would have sufficient private amenity space to carry out day-to-day domestic activities and would afford acceptable living conditions to future occupiers. Whilst House Types B and C on Plots 2 and 3 respectively would contain windows of habitable rooms in their facing side elevations, the positing of the dwellings being slightly offset would ensure privacy is maintained by them not directly facing one another.
34. The proposed development is considered to be a compatible use with neighbouring residential properties and would not give rise to adverse impacts of noise and disturbance given the small-scale domestic nature of the proposal.
35. The proposed development is considered to accord with the provisions of policy BNE1 of the Chorley Local Plan 2012 – 20126 in respect of amenity.

#### Highway safety

36. Policy BNE1 (Design Criteria for New Development) of the Chorley Local Plan 2012 -2026) stipulates that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction.
37. During the course of the application revised plans have been received to address the comments of LCC Highway Services, as explained earlier in this report. This includes the provision of sightlines and the provision of footways to the front of the site.
38. Each plot would have its own dedicated access point by improving the existing access points on Nook Lane (Plot 1) and Bluestone Lane (Plots 2 and 3). The provision of 2-metre-wide footways are required to satisfy the needs of the pedestrian safety given the 40mph speed of the road and to allow connectivity; and these are shown on the proposed site plan. These would be provided partially within the applicant's land due to the width of the existing highway. The access and highway works would be secured by condition and would also require an appropriate S278 agreement with LCC Highway Services.
39. Each proposed dwellinghouse would have 4no. bedrooms and parking provision for at least 3no. vehicles is provided per plot, in line with the Council's parking standards as set out in Appendix A of the Chorley Local Plan.
40. LCC Highway Services are satisfied with the proposal and it is considered to accord with policy BNE1 of the Chorley Local Plan 2012 - 2026 in respect of highway safety matters.

#### Ecology

41. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
42. The application is accompanied by various ecological surveys, having been updated at the request of the Council's ecological advisors and are summarised below, along with the Council's advisors' comments:

#### Bats

*No change in circumstance was found on the site. Whilst no updated bat emergence surveys were carried out at an appropriate time of year, the updated daylight survey*

confirmed that bats were still present in the bungalow. Whilst Natural England may still require updated bat emergence surveys, I am satisfied that the size of the roost is unlikely to have changed and that a licence will be issued. I therefore recommend a condition along the following lines is applied to any permission.

The demolition of the bungalow is likely to cause harm to common pipistrelle bats as identified in the Bat Emergence Survey report by Contract Ecology dated July 2020 and Bat, Barn Owl and Nesting Bird Survey v2 Envirotech Ref: 6145 dated September 2022 and shall not in any circumstances commence unless the local planning authority has been provided with either:

- a) a licence issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead: or
- b) a statement in writing form the relevant licensing body or the LPA to the effect that it does not consider that the specified development will require a license

I recommend an informative along the following lines is applied to any permission regarding the demolition of the other buildings on the site with negligible to very low bat roosting potential.

Whilst the non-residential buildings to be demolished have been assessed as negligible risk for bats, the applicant is reminded that under the 2019 Regulations it is an offence to disturb, harm or kill bats. If a bat is found during demolition all work should cease immediately and a suitably licensed bat worker employed to assess how best to safeguard the bat(s). Natural England should also be informed.

#### Great crested newts

The updated ecological appraisal found no change in circumstances relating to the three ponds within the zone of influence of the development. Whilst GCN are present in the wider landscape, the three ponds in question are isolated from other ponds and unlikely to have been colonised in the intervening two years. There is however a residual risk. I therefore now recommend reasonable avoidance measures during site clearance and construction. The details can be conditioned along the following lines.

Prior to any earthworks or vegetation clearance a reasonable avoidance measures method statement for amphibians shall be supplied to and agreed in writing by the LPA

#### Nesting birds

The updated report identified evidence that the bungalow had been utilised as nesting sites and that little owl were roosting in building 4 the shed. I therefore amend my previous recommendation of the 16th May 2022 to:

No works to trees, shrubs or hedgerows shall occur or demolition commence between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed in writing by the LPA.

#### Invasive species

Rhododendron and Cotoneaster were previously recorded on the site. As for the previous application, I am happy for this to be dealt with via an informative along the following lines.

It is an offence under the Wildlife & Countryside Act 1981, as amended to introduce, plant or cause to grow wild any plant listed in Schedule 9 part 2 of the Act. Species such as Rhododendron ponticum and various Cotoneaster spp are included within this schedule. If any such species will be disturbed as a result of this development a suitably experienced consultant should be employed to advise on how to avoid an offence.

Contributing to and enhancing the natural environment

*My previous conclusions still apply. I would however advise that the proposed hedges utilise native species and that bird and bat boxes are included in the landscape scheme.*

43. Having regard to the above, and the recommended conditions, it is not considered that there are any grounds to refuse planning permission on ecological grounds. The proposal is considered to comply with policy

Public open space

44. Policy HS4 of the Chorley Local Plan 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.
45. The Council does not seek contributions for amenity greenspace, parks and gardens, natural and semi-natural greenspace, allotments or playing pitches for schemes of fewer than 11 dwellings.
46. With regards to the provision of open space for children/young people, policy HS4A sets a standard of 0.08 hectares per 1,000 population. There is currently a deficit of provision in Croston, Mawdesley & Euxton South in relation to this standard, a contribution towards new provision in the ward is, therefore, required from this development. The amount required is £134 per dwelling and so a total contribution of £402 is required, which will be secured through a S106 legal agreement.

Sustainability

47. 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.”*

48. Given this change, instead of meeting the code level, the Local Planning Authority required that dwellings should achieve a minimum dwelling emission rate of 19% above 2013 Building Regulations in accordance with the transitional provisions. Since application ref. 22/00071/FUL, was determined, Building Regulations 2022 have been brought into force and under Part L require a 31% improvement above 2013 Building Regulations. This

exceeds the Council's previous requirement and now supersedes the requirement for a planning condition.

#### Drainage

55. United Utilities have been consulted on this application and raise no objections. They do, however, recommend drainage conditions in relation to surface water drainage and that foul and surface water should be drained on separate systems.

#### Community Infrastructure Levy (CIL)

56. 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.

### **CONCLUSION**

57. The proposal accords with the exception of paragraph 149 (g) of the National Planning Policy Framework and is not, therefore, inappropriate development in the Green Belt. The proposal would not be detrimental to the character and appearance of the area, nor would it adversely affect the amenity afforded to neighbouring residential properties. The proposed development would not prejudice highway safety and would not be detrimental to nature conservation interests or European protected species. The proposed development would make a contribution to the Council's housing land supply and this is a clear benefit of the scheme. The application is considered to accord with the relevant policies of the Development Plan and is recommended for approval, subject to conditions.

### **RELEVANT HISTORY OF THE SITE**

**Ref:** 79/00694/FUL                      **Decision:** PERFPP                      **Decision Date:** 22 October 1979  
**Description:** Kitchen/bathroom extension

**Ref:** 80/01151/OUT                      **Decision:** PEROPP                      **Decision Date:** 19 January 1981  
**Description:** Bungalow to replace existing cottage

**Ref:** 81/00387/REM                      **Decision:** PERRES                      **Decision Date:** 19 May 1981  
**Description:** Bungalow

**Ref:** 94/00195/FUL                      **Decision:** PERFPP                      **Decision Date:** 26 April 1994  
**Description:** New vehicular access to from through drive

**Ref:** 18/01120/CLEUD                      **Decision:** PEREUD                      **Decision Date:** 29 July 2019  
**Description:** Application for a Certificate of Lawfulness for an existing use comprising domestic use of building and land

**Ref:** 19/01050/FUL                      **Decision:** PEFFPP                      **Decision Date:** 9 December 2020  
**Description:** Erection of 4no. detached dwellinghouses, following the demolition of the existing dwelling and associated outbuildings

**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

1. The proposed development must be begun not later than three years from the date of this permission.

*Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall be carried out in accordance with the approved plans below:

<b>Title</b>	<b>Plan Ref</b>	<b>Received On</b>
Location Plan	3719-20-16A	25 May 2022
Existing Site Plan	3719-19-11	5 April 2022
Proposed Site Plan And Street Scene	3719-21-31J	24 January 2023
Proposed Two Storey Dwelling	3719-21-33B	11 February 2022
Proposed 1.5 Storey Dwelling House Type B	3719-23-35	24 January 2023
Proposed 1.5 Storey Dwelling House Type C	3719-21-30D	24 January 2023

*Reason: For the avoidance of doubt and in the interests of proper planning.*

3. Prior to the commencement of any dwellinghouse hereby permitted details 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.

*Reason: In the interests of the appearance of the development in the locality.*

4. No dwelling hereby permitted shall be commenced until all existing buildings on the site (as shown on drawing number 3719 19 11) are demolished in full and all resultant materials removed from the site.

*Reason: The demolition of the existing buildings is necessary to make the development acceptable in the Green Belt as an exception to inappropriate development in the Green Belt as listed in paragraph 149 (g) of the National Planning Policy Framework and also in accordance with Chorley Local Plan 2012 - 2026 policy BNE5.*

5. No demolition of the bungalow shall be commenced until the following has been submitted to the Local Planning Authority:

a) a license issued by Natural England pursuant to Regulation 55, of the Conservation of Habitats and Species Regulations 2017 authorising the specified activity/development go ahead:  
or

b) a statement in writing from the relevant licensing body or the Local Planning Authority to the effect that it does not consider that the specified development will require a license

*Reason: In the interests of nature consideration as bats, a protected species, were found to be present in the bungalow.*

6. Foul and surface water shall be drained on separate systems.

*Reason: To secure proper drainage and to manage the risk of flooding and pollution.*

7. No development shall commence until a surface water drainage scheme has been submitted to and approved in writing by the Local Planning Authority. The drainage scheme must include:

(i) An investigation of the hierarchy of drainage options in the National Planning Practice Guidance (or any subsequent amendment thereof). This investigation shall include evidence of an assessment of ground conditions and the potential for infiltration of surface water;

(ii) A restricted rate of discharge of surface (if it is agreed that infiltration is discounted by the investigations); and

(iii) A timetable for its implementation.

The approved scheme shall also be in accordance with the Non-Statutory Technical Standards for Sustainable Drainage Systems (March 2015) or any subsequent replacement national standards.

The development hereby permitted shall be carried out only in accordance with the approved drainage scheme.

*Reason: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.*

8. No works to trees, shrubs or hedgerows shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and that appropriate measures in place to protect nesting bird interests on site.

*Reason: All British birds nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife & Countryside Act 1981 (as amended).*

9. 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.

*Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.*

10. Prior to the commencement of the development hereby permitted, a scheme for the landscaping of the development and its surroundings shall be submitted to and approved in writing by the Local Planning Authority. This shall include the following:

- the types and numbers of trees, hedges and shrubs to be planted, their distribution on site and those areas to be seeded
- details of paving and hard landscaped areas, to include materials and colour
- native species
- details of bird and bat boxes to be provided

All 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.

*Reason: In the interests of the appearance of the development in the locality and to provide biodiversity enhancement through landscaping of the site.*

11. The car parking area and manoeuvring area the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least sub base before any development takes place within the site.

*Reason: To ensure that provision is made for the storage of materials and contracting staff.*

12. The layout of the development shall include provisions to enable vehicles to enter and leave the highway in forward gear and such provisions shall be laid out in accordance with the approved plans and the vehicular turning space shall be laid out and be available for use before any development commences and a suitable turning area is to be maintained thereafter.

*Reason: Vehicles reversing to and from the highway are a hazard to other road users, for residents and construction vehicles.*

13. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

*Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.*

14. 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 as part of a section 278 agreement, under the Highways Act 1980.

*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 and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.*

15. No part of the development hereby approved shall be occupied or opened for trading until the approved scheme referred to in the above condition has been constructed and completed in accordance with the approved scheme details, without prior agreement from the Local Planning Authority

*Reason: In order that the traffic generated by the new development does not exacerbate unsatisfactory highway conditions in advance of the first occupancy or trading.*

16. Prior to any earthworks or vegetation clearance, a reasonable avoidance measures method statement for amphibians shall be submitted to and agreed in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved method statement.

*Reason: To safeguard a protected species.*