

**Oakdene Conditions following Public Inquiry 2019 and agreed by Appellant.**

1. An application for approval of reserved matters must be made no longer than the expiration of three years beginning with the date of this permission and the development must be commenced not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

*REASON: Required to be pursuant to section 92 of the Town and Country Planning Act 1990*

2. No development shall commence until approval of the details of Appearance, Landscaping, Layout and Scale hereinafter called 'the reserved matters', has been obtained from the Local Planning Authority in writing. An application for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

*REASON: To comply with the requirements of Section 92 of the Town & Country Planning Act 1990.*

**Drawings**

3. The development, hereby permitted, shall be carried out in accordance with the submitted approved plans.
  - Location Plan Land at Chain House Lane, New Longton, Preston
  - Drawing No SCP 18355/FO2 Rev B entitled Access Arrangement (2m Footway Along Site Frontage).
  - Drawing No 1638WHD/CHL/IM01 Rev B entitled Illustrative Masterplan.

*REASON: For the avoidance of doubt and to ensure a satisfactory standard of development*

**Ground Contamination**

4. Once works commence on the site, should site operatives discover any adverse ground conditions and suspect it to be contaminated, they should report this to the Site Manager and the Contaminated Land Officer at South Ribble Borough Council. Works in that location should cease and the problem area roped off. A Competent Person shall be employed to undertake sampling and analysis of the suspected contaminated materials. A Report which contains details of sampling methodologies and analysis results, together with remedial methodologies shall be submitted to the Local Planning Authority for approval in writing. The approved remediation scheme shall be implemented prior to further development works taking place and prior to occupation of the development.

Should no adverse ground conditions be encountered during site works and/or development, a Verification Statement shall be forwarded in writing to the Local Planning Authority prior to occupation of the building(s), which confirms that no adverse ground conditions were found.

*REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026*

### **Piling**

5. Prior to the commencement of any piling works on site, details of all piling activities shall be submitted to the local planning authority together with all mitigation measures to be taken.

Piling activities shall be limited to 09:30-17:00.

Mitigation measures may include and are not limited to:

- I. The use of low impact piling, auger piling
- II. Boundary vibration and noise monitoring
- III. Informing neighbouring properties on the times and duration of piling activities.

*Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and the NPPF.*

### **Drainage UU**

6. The drainage for the development hereby approved, shall be carried out in accordance with principles set out in the submitted Foul & Surface Water Drainage Design Drawing 30359/100, Rev - Dated December 2018 which was prepared by Ironside Farrar. For the avoidance of doubt and unless otherwise agreed in writing by the Local Planning Authority, surface water must drain at the restricted rate of 20.8l/s. No surface water will be permitted to drain directly or indirectly into the public sewer. The development shall be completed in accordance with the approved details.

*Reason: To ensure a satisfactory form of development and to prevent an undue increase in surface water run-off and to reduce the risk of flooding.*

### **LLFA**

7. No development shall commence until final details of the design, based on sustainable drainage principles, and implementation of an appropriate surface water sustainable drainage scheme have been submitted to and approved in writing by the local planning authority and LLFA. Those details shall include:
8. Final sustainable drainage layout plan appropriately labelled to include all pipe/structure references, dimensions, design levels, finished floor levels in AOD with adjacent ground levels.
  - a) The drainage scheme should be in accordance with the principles of the Ironside Farrar Chainhouse Lane, Whitestake, Preston Flood Risk Assessment & Drainage Strategy ref.30359/SRG dated April 2019 and demonstrate that the

surface water run-off shall not exceed the pre-development runoff rate which has been calculated at 20.8 litres per second. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

- b) Detailed plans showing the existing levels along the boundary with Oakdene (no.7 Chain House Lane) and along the eastern boundary of The Bungalow (no.21 Chain House Lane) and proposed garden and slab levels of any adjoining plots. Details of any interception drainage installed to prevent surface water run off from the development to the gardens of Oakdene and The Bungalow is also required. This refers to Ironside Farrar Chain House Lane, Whitestake Preliminary Drainage Layout drawing no.30359/100.
- c) Sustainable drainage flow calculations (1 in 1, 1 in 30 and 1 in 100 + climate change) with allowance for urban creep.
- d) Plan identifying areas contributing to the drainage network
- e) Measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses,
- f) A plan to show overland flow routes and flood water exceedance routes and flood extents.
- g) Evidence of an assessment of the site conditions to include site investigation and test results to confirm infiltrations rates;
- h) Breakdown of attenuation volume in pipes, manholes and attenuation tanks.
- i) Details of an appropriate management and maintenance plan for the sustainable drainage system for the lifetime of the development. This shall include arrangements for adoption by an appropriate public body or statutory undertaker or management and maintenance by a Management Company and any means of access for maintenance and easements, where applicable.

The scheme shall be implemented in accordance with the approved details prior to first occupation of any of the approved dwellings, or completion of the development, whichever is the sooner. Thereafter the drainage system shall be retained, managed and maintained in accordance with the approved details.

## **Reasons**

- 1. To ensure that the final drainage designs are appropriate following detailed design investigation.*
- 2. To ensure that the proposed development can be adequately drained.*
- 3. To ensure that there is no flood risk on or off the site resulting from the proposed development*

### **Ground Level Survey**

9. No development shall commence until a ground levels survey, to include existing ground levels and proposed ground and slab levels, has been submitted to and approved in writing by the Local Planning Authority. The development shall be constructed in accordance with the approved levels.

*REASON: In order to satisfy the Local Planning Authority that the development will not have a detrimental impact on residential amenity or the character of the area before work commences in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan.*

### **Play space**

10. That the proposed site layout to be submitted with the Reserved Matters application shall include a scheme for the provision of public open space. The designated areas of public open space shall remain free from development thereafter.

*REASON: In the interests of residential amenity so as to accord with Policy G17 in the South Ribble Local Plan 2012-2026.*

### **Sustainable Built Development**

11. The dwellings is required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

*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 Ascent 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.*

12. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.

*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 Ascent 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 is can be assured that the design meets the required dwelling emission rate.*

13. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been

previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

*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.*

### **Electric Vehicle Recharge Points**

14. Electric vehicle recharge points shall be provided to every property, prior to occupation. This shall consist of as a minimum a 7Kwh electrical socket located externally (or in the garage if available) in such a position that a 3 metre cable will reach the designated car parking spaces. A switch shall be provided internally to allow the power to be turned off by the residents.

*Reason: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy.*

### **Waste and recycling storage**

15. Before the construction of the first dwelling full details of the waste and recycling storage facilities to each property shall be submitted to and approved in writing by the local planning authority. Once approved the waste storage facilities shall be provided prior to first use of the development and shall be retained and maintained thereafter.

*REASON: To provide effective and sufficient storage facilities for refuse and to safeguard amenities and living conditions of any nearby residents particularly with regards to odour, noise and insects in accordance with Policy 17 of the Central Lancashire Core Strategy.*

### **Protected Species**

16. Should the development not have commenced within two years the date of this permission, a re-survey be carried out to establish whether bats or barn owls are present at the site shall be undertaken by a suitably qualified person or organisation. In the event of the survey confirming the presence of bats or barn owls details of measures, including timing, for the protection or relocation of the species shall be submitted to and agreed in writing by the Local Planning Authority and the agreed measures implemented.

*REASON: To ensure the protection of schedule species protected by the Wildlife and Countryside Act 1981 and so as to ensure work is carried out in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026*

## Homes England

17. The development hereby approved shall be constructed to the highway layout detail shown on the access arrangement drawing (SCP/18355/F02 Rev B).

Within 36 months from the commencement of development the internal access roads and pedestrian links shall be provided for as shown on illustrative masterplan 1638WHD/CHL/IM01Rev B (or otherwise approved at reserved matters stage) from Chain House Lane to the boundary of the application site to the south and that access provides unencumbered and unfettered access to the S3 safeguarded land to the south of the application site.

*REASON: In the interests of highways safety and highway amenity in accordance with Policy 3 of the Core Strategy and Policies C3 and G17 of the South Ribble Local Plan. To avoid prejudicing the delivery of future safeguarded land (policy G3, sites S2) by allowing for future comprehensive development.*

## Ecology Lighting

18. Prior to the first occupation of the development a lighting design strategy for the street lighting shall be submitted to and approved in writing by the LPA. The Strategy shall:

- Identify area/features on site that are potentially sensitive to lighting for bats
- Show how and where street lighting will be installed and through appropriate lighting contour plans demonstrated clearly that any impacts on bats is negligible.

All external lighting shall be installed in accordance with agreed specifications and locations set out in the strategy.

## Nesting Birds

19. No works to trees, hedgerows or shrubs shall occur between the 1<sup>st</sup> March and 31 August in any year unless a detailed bird nest survey by a suitably experience ecologist has been carried out immediately prior to clearance and written confirmation provided that no active bird nests are present which has been agreed by the Local Planning Authority.

## Ecology/Landscape Plan

20. As part of the Reserved Matters submission, details of the landscaping of the site including, wherever possible, the retention of existing trees and hedges shall be submitted to, and approved in writing by, the Local Planning Authority.

The Landscaping scheme shall demonstrate enhancement of the natural environment through:

- Enhancement of retained pond, ditches and hedgerows
- Native tree planting across the site to include numbers, species, size-

- Tree planting to include fastigate (upright) deciduous broadleaf planting
- Mitigation for loss of low value grassland through buffering of pond and hedgerows
- Provision of bird boxes across the development
- Details shall be provided of the tree pits to be used within the site. For the avoidance doubt, such details shall specify the size and specification of the pit and that it is appropriate for the size and type of tree to be used, and shall demonstrate how there is no conflict with sub-surface plant'. The tree pit specification shall include details of the soil type, pit surface dressing, ie mulch/resin bound gravel as well as any root deflectors and load bearing systems allowing for void creation and unobstructed root growth.

The approved scheme shall be implemented in the first planting season following completion of the development, or first occupation/use, whichever is the soonest.

The approved scheme shall be maintained by the applicant or their successors in title thereafter for a period of 5 years to the satisfaction of the Local Planning Authority. This maintenance shall include the replacement of any tree or shrub which is removed, becomes seriously damaged, seriously diseased or dies, by the same species or different species, and shall be agreed in writing by the Local Planning Authority. The replacement tree or shrub must be of similar size to that originally planted.

Details submitted shall be compliant with 'BS 5837 2012 - *Trees in Relation to Design, Demolition and Construction - Recommendations*' and shall include details of trees and hedges to be retained or removed, root protection zones, barrier fencing, and a method statement for all works in proximity to those trees or hedges to be retained during the development and construction period. Details shall also indicate the types and numbers of trees and shrubs, their distribution on site, those areas seeded, turfed, paved or hard landscaped, including details of any changes of level or landform and the types and details of all fencing and screening.

*REASON: In the interests of the amenity of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G8 in the South Ribble Local Plan 2012-2026*

### **Employment and Skills**

21. The development shall not commence until an Employment and Skills Training Plan that is tailored to the development has been submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with that plan.

*REASON: In the interests of delivering local employment and skills training opportunities and in accordance with Core Strategy Policy 15.*

### **Highways**

#### **Site Access and offsite highway works**

22. No part of the development hereby approved shall commence until a scheme (and full construction details) 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. The Site Access and highway improvement works (including traffic calming footway provision, bus stop improvements and speed limit extension) to be based on the in principle scheme drawings Drawing Numbers 604457200\_001 Rev C, "Potential site access location and swept path analysis", no. 04002 "Proposed Access with trees" and 604457200\_002 Rev C "Proposed site access location, traffic calming and visibility splays".

*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*

23. No part of the residential development hereby approved shall be occupied until the approved scheme for the site access and off site highway improvements have been constructed and completed in accordance with the scheme details.

*REASON: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

24. Prior to first occupation of the development details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private Management and Maintenance Company has been established.

*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 ensure the future management and maintenance of the proposed streets is secured*

25. The new estate road/access between the site and Chain House Lane shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before the occupation of the first dwelling.

*REASON: In the interests of highway safety as required Policy G17 in the South Ribble Local Plan 2012-2026*

### **Travel Plan**

- 26 Prior to the first occupation of the development a Framework Travel Plan shall be submitted to, and approved in writing by, the Local Planning Authority. The provisions of the Framework Travel Plan shall be implemented and operated in

accordance with the timetable contained therein unless otherwise agreed in writing with the local planning authority.

*REASON: To promote and provide access to sustainable transport options in accordance with Policy 3 in the Central Lancashire Core Strategy.*

### **Construction Management Plan**

27. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by the local planning authority. The Statement shall provide for:

i) the parking of vehicles of site operatives and visitors; ii) loading and unloading of plant and materials; iii) storage of plant and materials used in constructing the development; iv) the erection and maintenance of security hoarding/fencing including decorative displays and facilities for public viewing, where appropriate; v) wheel washing facilities; vi) measures to control the emission of dust and dirt during construction; vii) a scheme for the prior removal of asbestos if found to be present on site or in any buildings to be demolished viii) a scheme for recycling/disposing of waste resulting from demolition and construction works; ix) delivery, demolition and construction working hours. x) Protection of surface and groundwater resources (xi) Location of site compound

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

*Reason: To safeguard the amenities of neighbouring properties in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 of the South Ribble Local Plan.*

### **Additional Notes**

- Should this planning application be approved the applicant should contact United Utilities regarding a potential water supply or connection to public sewers. Additional information is available on our website <http://www.unitedutilities.com/buildersdevelopers.aspx>.
- The electrical charging point shall be fitted with a weather proof cover.
- A currently accepted risk assessment methodology includes that contained within the IAQM 'Guidance on the assessment of dust from demolition and construction' or the Major of London 'The control of dust and emissions from construction and demolition'