

Item **10/00278/FULMAJ**

Case Officer **Liz Beard**

Ward **Chorley East**

Proposal **Revisions to approved site layout involving 26 dwellings.**

Location **Quarry Road Industrial Estate Quarry Road Chorley**

Applicant **M.J.Fellows Ltd & Northern Trust**

Consultation expiry: 18 August 2010

Application expiry: 20 October 2010

Proposal

1. The proposal is for revisions to the approved site layout in relation to 26 dwellings. The plots that are included within this application are no.s 1-19 (inclusive), 27, 50, 51, and 64-67 (inclusive).
2. The original application was approved in July 2010 which was an application for 66 houses application ref. The site is located between Quarry Road and Fell View in Chorley covering a site of 1.546ha.
3. The proposal includes changes to 13 no. 3 bed houses (market housing) and 8 no 2 bed houses and 5 no. 3 bed houses (affordable housing: social rented).

Recommendation

4. It is recommended that this application is approved with conditions.

Main Issues

5. The main issues for consideration in respect of this planning application are:
 - Design and layout of the development.
 - Impact on the amenity of the neighbouring properties and proposed.
 - Highway safety.

Representations

6. No letters of objection have been received.

Consultations

7. Lancashire County Council (Highways) have not provided any comments on this scheme.

Assessment

Design and Layout

8. The application for 66 dwellings was approved in December 2009 subject to the signing of the S106, which was signed in July 2010. Access to 53 dwellings, which are market housing, is from Quarry Road and access to 13 dwellings, which is a courtyard of affordable housing, social rented, is from Fell View. The accesses remain as previously approved, however, the layout of the houses and types have been changed.
9. Plots no.s 1-13, all have access from Fell View. This now forms a larger courtyard, with parking provided within the actual courtyard and the houses looking onto the parking. Three of the properties look onto Fell View (Plots 1-3) where the house types for Plots 1 and 3 have changed and Plot 2 remains as previously approved. The other changes include changes in house types for the other houses, which all now form small terraces. The garden sizes and privacy distances are still within those previously approved and the Council's guidelines.

10. Plots 14 to 19 have changed layout and orientation. The previous layout meant that this section of the layout had 7 no dwellings taking access off Fell View. The proposed layout has 6 no dwellings in this area where their orientation has been changed so they gain access from Quarry Road and the internal roads, with parking provided in a parking court in front of their properties. Their back gardens now back onto Fell View. This switch has provided better natural surveillance whilst maintaining the privacy distances as previously approved. The existing trees along Fell View will be maintained and located in a landscaping area out with the future owners gardens. The house types have changed, however, they are all three bedroom houses instead of 2 no two bedroom houses and the remainder as three bedroom houses.
11. Plot 27 is now located in the eastern part of the side, and was formerly Plot 22. The house type remains as that previously approved but the double garage has been moved from the top of the cul-de-sac to be located adjacent to the property. The drive way has then been relocated accordingly. This provides a neater layout in this section of the scheme and again does not impact on the privacy distances as approved.
12. Plots 50 and 51 were previously Plots 44 and 45. The house types have changed from semi detached to one detached property and the other joining to form a row of three properties. The garages, which were previously joined, have now been separated. The properties now all have the same building line and the privacy distances and garden sizes have all been maintained.
13. Plots 64 to 67 are located in the position of where Plots 64 to 66 were located. As well as the addition of one extra house in this location, there has also been a change in orientation and in house types. The layout now consists of three bedroom houses and a more regular layout, which again forms a neater layout. Car parking is provided by way of single garages with driveways in front. The distances are all met as per the Council's design standards as set out in the SPD.
14. The actual design of the dwellings proposed are similar to those previously approved. The changes in the layout provide a more uniform layout, and in some areas provide better natural surveillance, which is acceptable. There are some garden areas that are not 10 metres in length, however, in these instances where the garden is not 10 metres in length these properties are sited to ensure there will be no overlooking created by first floor windows to neighbouring garden areas and back onto courtyard areas, and therefore complies with PPS3.

Impact on the Amenity

15. The changes in house types and layout all meet the minimum privacy distances as outlined in the Design Supplementary Planning Document this is both in relation to the proposed housing and the proposed housing and existing housing adjacent to the site.

Highway Safety

16. The access is as per the approved plan except for some accesses on the former Plots 7 to 13, which have been changed to Plots 14 to 19, have now been removed from Fell View, and now have access from within the scheme itself.
17. There is adequate parking provided in relation to the amended plots and the scheme overall. Therefore there are no issues in relation to highway safety.

Overall Conclusion

18. The proposed substitution of house types and changes in layout are acceptable and provide an acceptable layout. The mix of materials and designs is appropriate for the area and fits in with what has already been approved. The proposal complies with the privacy distances and where the garden areas are slightly reduced in length it is considered that there will not be an impact on amenity. The scheme is therefore considered acceptable and complies with national and local policies.

Planning Policies

National Planning Policies:
PPS1 and PPS3

Adopted Chorley Borough Local Plan Review

GN1: Settlement Policy

GN5: Building Design and Retaining Existing Landscape Feature and Habitats

HS4 Design and Layout of Residential Development

Supplementary Planning Guidance:

- Statement of Community Involvement
- Design Guide

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

Planning History

08/00023/OUTMAJ Proposed residential development for 72 no 2, 2.5 and 3 storey mixed dwelling types with associated roads and open space. Refused in April 2008.

09/00745/FULMAJ Proposed residential development. Erection of 66 dwellings and associated infrastructure. Approved with conditions 20 July 2010.

Recommendation: Permit Full Planning Permission 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 not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s) (notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, and HS4, of the Adopted Chorley Borough Local Plan Review.
3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.
Reason: In the interests of the amenity of the area and in accordance with Policy No. GN5 of the Adopted Chorley Borough Local Plan Review.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

5. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building slab 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 only be carried out in conformity with the approved details.

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

6. No development shall take place until :

- a) a methodology for investigation and assessment of ground contamination has been submitted to and approved in writing by the Local Planning Authority. The investigation and assessment shall be carried out in accordance with current best practice including British Standard 10175:2001 "Investigation of potentially contaminated sites – Code of Practice". The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to the remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of the remediation works, a validation report containing any validation sampling results have been submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

7. Japanese Knotweed is present within the application area. Under the Wildlife and Countryside Act 1981 (as amended) it is an offence to cause Japanese Knotweed to grow in the wild. Therefore a programme of control/eradication of this species shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The programme shall accord with the Environment Agency Guidelines.

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

8. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. I will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets whichever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures including rainwater/brown water recycling. No development shall commence until implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning the Climate Change Supplement to PPS1 and Chorley Borough Council's adopted Sustainable Resources SPD.

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

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.

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

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