

**Item**                      **10/00659/FULMAJ**

**Case Officer**            **Caron Taylor**

**Ward**                      **Lostock**

**Proposal**                **Erection of 24 two-storey affordable houses (including new access from Moor Road).**

**Location**                **Land Adjacent 32 Moor Road Croston**

**Applicant**                **Adactus Housing Association & Seddon Homes**

**Consultation expiry: 8 September 2010**

**Application expiry: 22 October 2010**

**Proposal**

1. The application is a full application for the erection of 24 two-storey affordable houses (including new access from Moor Road).

**Recommendation**

2. It is recommended that this application is granted planning permission, subject to conditions and a Section 106 legal agreement, providing the additional ecological information is received and is satisfactory to the County Ecologist (this will be reported on the addendum).

**Main Issues**

3. The main issues for consideration in respect of this planning application are:
  - Principle of the proposal
  - Appearance, layout and scale
  - Access and parking
  - Impact on neighbour amenity

**History**

4. The site history of the property is as follows:

Ref:            98/00418/OUT    Decision:    Application Withdrawn  
Decision Date: 30 July 1998  
Description: Outline application for residential development,

Ref:            98/00779/OUT    Decision:    Refused  
Decision Date: 28 April 1999  
Description: Outline application for the erection of 5 detached houses and provision of 17 space car park,

Ref:            06/01043/FUL    Decision:    Refused  
Decision Date: 23 November 2006  
Description: Formation of builders yard with new vehicular access and erection of fencing,

Ref:            07/00370/FULMAJ                      Decision:                      Application Withdrawn  
Decision Date: 4 June 2007  
Description:        Erection of 17 houses with associated car parking and landscaping,

**Representations**

5. 21 individual letters of objection and 621 signed standard letters of objection have been received to the application. The grounds of objection can be summarised as:
  - Increased traffic and the access will cause safety issues. Previous applications have

been refused on access grounds. Visibility would be obscured by the houses nearest the junction;

- The proposal is out of keeping with the area and the properties nearby, which are terraced and semi-detached. The proposals are more densely packed than existing properties. PPS3 does not now require 30 dwellings per hectare – it should be a lower density given it is green field;
- There are not enough school places in the local primary school to absorb the development;
- The local medical services are full;
- The site is contaminated;
- Croston is in a flood area;
- Parking will overflow onto surrounding roads;
- Pollution;
- Strain on local current resources;
- The access to the development is unsuitable for the volume of traffic and existing road junctions;
- Loss of view over open land;
- Trees have been felled on the site;
- There are plenty of houses for sale in the Chorley area;
- There is little retail provision in the village;
- Poor transport service to the village;
- Burden on drainage/sewer systems;
- Land is a green break from housing lines;
- Croston Parish Plan showed that a minority of residents considered that there was a need for rented or housing associated shared ownership properties – there is current un-occupancy of affordable housing schemes in Croston;
- The scheme is too large to meet just local need;
- The density will exacerbate parking issues, the properties should have dedicated parking spaces;
- If affordable houses have to be built then local people should have them;
- Overlooking and loss of privacy to Dob Cross Farm;
- The distance between the proposal and no. 9 Station Road will be below the minimum distances and the proposed 1.8m high fence will take light from their garden;
- The proposal will reduce light and privacy to no. 25 Station Road;
- Loss of privacy to no. 32 Moor Road;
- Bins stores near their boundary could be a health hazard;
- The siting of plot 1 is inappropriate – it is close to the window at side of no. 1 Moor Road, reducing light;
- No play area is provided;
- Headlights from vehicles using the access will shine into properties opposite;
- Impact of vehicles close to boundary with existing residents properties;
- Waste disposal – where will bins be put on collection day?;
- The site is Greenfield land and a sequential test should have been carried out;
- Habitats will be destroyed Great Crested Newts have been seen on the site;
- There is already planning permission for houses on the former wood yard site which will have a cumulative impact;
- Only a single track road is proposed to serve the development and fire appliances and waste collection vehicles will not be able to access it;
- Building on the site will reduce natural drainage.

In addition two of the letters state:

- They do not disagree with building on it as it looks rough but they feel the younger locals should be given first priority;
- In principle Croston does need housing, but not in this position, but the housing needs to be affordable for the youngsters of Croston as they are having to move out of the village and they should be given preference over people that do not have family here.

## Consultations

6. **United Utilities** – have no objection to the proposal.
7. **Environment Agency** – have no objection to the proposal subject to a condition and informative notes.
8. **Croston Parish Council** objects to the application on the following grounds:
  - 1) Highway safety - Moor Road (B5249) is, despite being a 'B' road, used by a large number of heavy goods vehicles. The proposed location of the access is in the immediate vicinity of a small system of mini roundabouts which are already the scene of a number of incidents and near misses, caused by vehicles travelling along Moor Road failing to adhere to the 'Give Way' instruction to vehicles using the mini roundabout to enter and exit from Jubilee Way.
  - 2) The land is designated GN4 in the current Local Plan and, as such, 'development in .....Croston, ..... will be limited to:  
(c) that which provides affordable housing to meet a recognised local need in accordance with Policy HS8;'
- 3) The development will impact adversely on the local infrastructure. Primary school places are currently at a premium. By virtue of the type of housing proposed this will add to an increase in the demand for child places. Additionally, there is an existing permission in place for a development on the site of the Former Woodyard, Station Road (08/00320/FULMAJ) which will further exacerbate these problems.

Additionally, the village currently suffers badly from flooding and sewer problems. The Parish Council is currently working with partner bodies, including Chorley Council, to devise a Community Flood Plan and this development will add to the amount of surface water discharged. The development will also add to the amount of sewage to be disposed of. United Utilities are aware of regular incidents of raw sewage emitting from their manholes onto roads in other parts of the village.

- 4) From the supporting information it would appear that, other than a desk top study, no survey has been carried out to establish the possible presence of Great Crested Newts, and other protected species, in the area. The Ecological Assessment states 'The site does however have good suitability as foraging and refuge habitat for amphibian species, including great crested newts' and 'The site does however represent suitable foraging habitat for a variety of bat species which may roost in adjacent residential properties'.

The Assessment (8.6) categorically states at 8.6 in relation to reptiles that the site contains good quality foraging and refuge sites for common reptile species. A detailed reptile survey of the site is recommended in order to determine the presence/absence of these species. The optimum timing for these surveys is April/May or September. If reptiles are found to be using the site a mitigation scheme will need to be implemented.'

There appears to be no indication this has been completed.

9. **Lancashire County Council (Highways)** –  
State that this application meets all the highway criteria they demand. They state they had several meetings with the applicant's consultants to resolve issues on this more difficult shaped site and found solutions to all the points and concerns raised. Access for the development at Moor Road is good with the required sight lines being well achieved. The proposed new junction will have no impact on the Jubilee Way/Moor Road and the Moor Road/Station Road junctions. Car parking is very well provided for within the site at two spaces per dwelling, which is above the minimum standard. The scheme itself has been designed to meet the requirements and philosophy of the Department for Transport Manual for Streets. The design speed for vehicular

traffic has been set very low with a view to making the development pedestrian friendly. This has been achieved by the use of irregular alignment and the use of features. The scheme is accessible by service vehicles, including refuse vehicles and fire appliances. The scheme that has been worked up is now a well designed scheme that meets the necessary requirements. They state they have no reason to object and could not sustain any objection at appeal. From a highways point of view, they state this is a good and workable application.

**10. Chorley Council Planning Policy –**

State this proposal lies within the settlement boundary of Croston, so should be assessed against the provisions of Policy GN4 in the Chorley Local Plan Review. This proposal accords with criterion c) of this policy, which allows development that provides affordable housing to meet a recognised local need, in accordance with Policy HS8 of the Local Plan. This proposal is for 100% affordable housing to meet local needs and is in accordance with Policy HS8 of the Local Plan. It is a scheme that should make a significant contribution to the solution of local housing problems in Croston.

11. This proposal is for more than 5 dwellings and as such it is required to accord with Policy SR1 of the Sustainable Resources DPD. The applicants state that the properties have been designed to meet Code for Sustainable Homes Level 3, which is in accordance with this policy. In terms of Policy SR1 criterion a) it is accepted that this is a long narrow site and that the layout is constrained by surrounding properties. Therefore, they have no objections in relation to criterion a). The applicants also indicate that they propose a water usage limit through the use of water saving sanitary fittings and they indicate that measures will be taken to control surface water run-off, which should accord with criterion c). Storage space is to be provided for recyclable waste materials and composting in accordance with criterion d). The proposal does not lie within a nationally designated area, so criterion e) is not applicable. In terms of Policy SR1 criterion b) the applicants state that the financial viability of the scheme would be severely compromised if the requirement for a 15% contribution from renewable sources were imposed. The applicants state that they will demonstrate through the use of open book accounting that this is the case. This is required if this element of the policy is not to be met.

**12. LCC Education –**

Using the LCC Planning Obligations Policy Paper, a yield of 0.35 primary and 0.25 secondary pupils per house has been used. Therefore, there is a possible yield of 8 primary and 6 secondary aged pupils.

13. A shortfall of places in these primary schools is already forecast, without the added impact which this development will have on pupil numbers. In addition, there is already a claim registered against a shortfall at Bretherton Endowed CE Primary, as a result of another development application pending. Therefore they are seeking a developer contribution in respect of the full potential yield of this site i.e. 8 places = £94,719. They state that without this contribution Lancashire County Council would be unable to guarantee that children in this area will be able to access a school place within a reasonable distance from their home.

14. With regard to secondary school places whilst there are also a number of planning applications pending which will impact on the available places in these schools, the total yield is expected to be around 52 pupils. They therefore anticipate that there will be sufficient secondary places available for the proposal.

**15. LCC Ecology –** state that the following matters will need to be addressed before the development can be determined:

- The reptile survey recommended in section 8.6 of the ecology report should be completed and any necessary mitigation compensation proposal should be submitted;
- It should be demonstrated that impacts on Species of Principal Importance (NERC Act, 2006) or their habitats will be avoided or that adequate mitigation/compensation measure will be provided;
- It should be demonstrated that sufficient replacement habitat will be created to offset habitat losses and deliver enhanced biodiversity.

If the above matters can be adequately addressed and Chorley Council is minded to approve the application a condition should be added regarding works affecting nesting birds should be

avoided between March and August inclusive without surveys being undertaken.

**16. Chorley Council Strategic Housing –**

**Housing Need & Waiting List Data**

The Central Lancashire Strategic Housing Market Assessment 2009 indicates that Chorley Borough has Annual Affordable Need of 791 Units per annum principally for 2 and 3 Bedroom Family Accommodation. The property mix for this site has been negotiated in accordance with these findings along with Housing Waiting List figures which demonstrate demand from households requiring social rented accommodation within Croston. Consideration has also been given to specific demands of this rural housing market - in particular the balance of existing stock (very limited social rented units, very high levels of owner occupation) in agreeing the proposed development of 100% Affordable Housing for Social Rent.

**17. Local Lettings Policy**

It is recommended that a Local Lettings Policy be applied to the nomination of all the units within the development, with priority being given to those households with a local connection to Croston which will enable the sustainability of this close knit rural community. The scheme will be aimed at those currently unable to afford to buy but wanting to remain in their village where they have local connection. It is anticipated that this will become part of their 'housing career' and as these people become able to afford to buy in Croston, this scheme will become a valuable resource for future new households. Adactus Housing Association has accepted this principle in respect of nominations.

**18. Homes and Communities Agency Grant Funding**

A successful bid for £1,488,000 to the HCA has been approved for this development on the condition that work commences by January 2011.

**19. Police Architectural Liaison Officer –** made comments in relation to the Secured by Design application regarding fencing to plots 4 and 20.

**20. Central Lancashire Primary Care Trust –** state there are no issues regarding access to GP services in Croston and therefore they have no comments to make on the application.

**21. Environmental Services –** State they have reviewed Sutcliffe Investigations Phase 1 desk study report for the site. They are generally satisfied with it making an initial appraisal of the site. They agree with the recommendations for further intrusive investigations and risk assessment and submission of a Phase 2 report. Details of which are provided in the desk study. These further works are required to fully characterise the site and to guide any site remediation works to render the site suitable for the proposed use. The applicant will be required to submit details of further investigation and where necessary a remediation strategy/detailed specification for remedial works for written approval by the Local Planning Authority. This should be the subject of a condition.

**22.** They have also reviewed the proposal from a waste storage and collection perspective and have no objections.

**Assessment**

Principle of the development

**23.** The application site is an old orchard, it is within the village of Croston which is covered by Policy GN4 of the Local Plan. This states that in villages including Croston development will be limited to:

- (a) infill sites;
- (b) the rehabilitation and reuse of buildings;
- (c) that which provides affordable housing to meet a recognised local need in accordance with Policy HS8;
- (d) that which meets a particular local community or employment need; or
- (e) the re-use of previously developed land, bearing in mind the scale of any proposed development in relation to its surroundings and the sustainability of the location.

As the proposal is for 100% affordable housing it meets criteria (c) providing it is in line with Policy HS8. This policy covers local needs housing within rural settlements excluded from the

green belt.

24. Policy HS8 states residential within a rural settlement excluded from the Green Belt will be restricted to schemes which would significantly contribute to the solution of a recognised local housing problem. The Council's Strategic Housing Team has given details of the current waiting lists for the Croston area. It is therefore considered that the proposal would significantly contribute to reducing the waiting lists in line with this policy.
25. Policy HS8 also states a number of criteria must be met: (a) a substantial majority of the dwelling will be made available at significantly below current market costs; (b) the occupancy of the dwellings will be limited on first and subsequent occupancy to people with close local connections who are unable to afford market housing; (c) the development is shown to be economically viable and be capable of proper management for example through a village trust or similar local organisation; (d) any remaining dwellings connected financially with the development will be limited to specialist types of accommodation for which there is a proven local need; (e) the scale and nature of the development will be in character with the settlement; (f) the development will be within a settlement with suitable adequate local facilities such as schools, shops and public transport services.
26. Taking each criterion in turn, in relation to (a) all the dwellings proposed will be affordable and secured as such through a legal agreement, in terms of (b) a local connections clause will be applied to the proposed properties on the advice of the Strategic Housing Section, (c) Adactus Housing Association, a Registered Social Landlord, are joint applicant for the proposal and will own and manage the properties. Criterion (d) is not relevant to the application, as no dwellings will remain, they will all be 100% affordable. Criterion (e) and (f) are discussed below in the relevant sections referring to scale and nature, and facilities. Subject to these being satisfactory the development will be acceptable in principle.

#### Appearance, Layout and Scale and Nature of Development

27. The application site is an area of open land of approximately 0.565 hectares accessed off Moor Road. It is a long narrow site running north to south. The land is lower than Moor Road but the site itself is relatively level although the frontage along Moor Road rises as it approaches the junction with Station Road. Opposite the site on Moor Road are terraced properties. To the West is a two mini-roundabouts arrangement, one at the entrance to the Jubilee Way estate and the other at the junction of Station Road, Moor Road and Bretherton Road.
28. The site bounds with the rear of the properties on Station Road to the west and the properties on Moor Road and Pear Tree Road to the east.
29. The application is accompanied by a Design and Access Statement detailing the design process the Architects for the scheme have gone through, this includes a photographic study of the immediate area and a comparison with historic maps of the village to see if there is a strong style to the buildings in the village and/or common themes in the appearance of the buildings. This showed that the oldest housing and that giving Croston its 'sense of place' is terraced with modest front gardens and relatively tight interface distances. Newer housing is more spread out, not typical to the village and less successful in creating a 'sense of place' i.e. it could be located anywhere.
30. The application therefore proposes two-storey terraced housing. One row on either side of the proposed access on to Moor Road facing the road, four rows within the site facing west and one row facing north rounding off the development at the southern end. Each property will have its own private rear garden with a small landscaped area to the front. Parking will be in spaces between the groups of terraces, provided in small groups along the access road and arranged around the turning head at the southern end of the site.
31. The applicant advises that the amount of the development has been determined by the scale and density of the surrounding area.
32. The proposal is considered in keeping with the surrounding area and specifically the historic character of the village of Croston, that is one of traditional terraces with small gardens with no

off-street parking to the frontages. The development replicates this form of housing found in the village rather than the newer housing, found on Moor Road which is not specific to Croston historically. The housing facing west will allow the front of properties to be viewed between the gaps in the properties from Station Road, rather than the rear of properties.

33. It is accepted that the restrictive shape of the site dictates that the properties are laid out on one side of the site only with the access to the other. The layout of the proposed properties facing Moor Road has been designed to be in keeping with the historic street pattern of Croston and the architect has provided a cross-section through Moor Road as it will be laid out and compared it to the layout of the terraced properties on Station Road as exists to show the layout is reflective of the character of Croston.
34. PSS3 no longer requires a minimum density of 30 dwellings per hectare, and the proposed development is 42 dwellings per hectare, however this is considered in keeping with the density of the immediate area, which is characterised by terraced housing.
35. Although the site is not within the conservation area, Croston Conservation Area Character Appraisal does cover traditional building styles and materials in the village which are useful in assessing this application. It states the most characteristic building form in the conservation is the terraced or linked cottage. Development, on the whole, fronts directly on to the road with the dominant building material being brick with slate roof tiles. In terms of materials, suitable materials can be controlled by a condition if the application is approved.
36. It is considered the scale and nature of the proposal will be in character with the village of Croston.

#### Access and Parking

37. In terms of the access, Lancashire County Highways state that they do not object to the scheme. The applicant has worked closely with them to come up with a proposal that meets the relevant highway criteria in terms of visibility splays onto Moor Road and keep speeds low within the development itself.
38. The proposal is for 10 two-bed properties and 14 three-bed properties. There will be 48 parking spaces provided in total. Some of these will be dedicated to certain properties but the majority will be provided as communal spaces. Although Chorley's Urban Designer made initial comments that it would be better if all the spaces were dedicated to individual properties in front of them, the applicant has explained that the parking layout proposed is intentionally designed to remove parking from in front of properties to allow landscaping to be introduced and increase the flexibility of the spaces. This approach is considered acceptable as it allows the parking to be better incorporated in the scheme, without it dominating the layout. With the majority of spaces not being dedicated it will allow a more flexible and efficient use of them as visitors will be able to park in spaces that would not otherwise be available if they were dedicated to a property, even if they were empty. This approach, with a mixture of dedicated and non-dedicated spaces, is supported by Manual for Streets which states a combination of on-plot, off-plot and on-street parking will often be appropriate. It also states that a key objective of PPS3 is the efficient use of land and to this end the total space taken up by parking needs to be minimised. The more flexible the use of parking spaces, the more efficient the use of space. In this case it is also considered that communal parking for residents and visitors is more likely to prevent parking on Moor Road itself.

#### Neighbour Amenity

39. In terms of neighbour amenity there will be approximately 15m between the proposed properties facing onto Moor Road and the existing terraced houses opposite. This is less than normally required for new housing schemes, however the interface distances are only guidelines and have to be balanced against other material considerations, in this case ensuring the proposal is in keeping with the surrounding layout and traditional form of development within the village. The properties facing Moor Road will be line with no. 1 Station Road which is on the corner of Station and Moor Road and has a date stone of 1888, rather than the semi-detached houses to the east of the site given planning permission in 1964/65, properties whose character and layout is not specific to the village. It can be seen from the Design and Access Statement

that the interface distance between the proposed properties and those opposite on Moor Road is similar to the distance between the terraced properties on Station Road. As Moor Road will separate the properties, the proposed layout is considered acceptable with an interface distance that will ensure the scheme will reflect the traditional form of development in the village.

40. Within the site the proposed properties on plots 8-20 face Station Road and back onto the properties on Pear Tree Road and no. 32 Moor Road. Plots 8-10 will back onto the side boundary of the rear garden of no. 32 Moor Road. This is a semi-detached property with a two-storey side extension, single storey side garage extension and rear conservatory. There will be 14m, 12m and 11m respectively between the first floor rear windows of plot 8, 9 and 10 and the garden boundary of no. 32 Moor Road which complies with the interface guideline. Properties on plots 11 - 14 will back on to a grassed area accessed between nos. 26 and 28 Pear Tree Road, however there will still be 10m between the first floor rear windows of the properties and their rear boundaries in accordance with the interface guideline.
41. Plots 17 - 20 will face the rear garden of no. 30 Pear Tree Road. There will be approximately 13m between the first floor windows of the proposed properties and the garden boundary with this property which complies with the Council's interface guidelines. Plot 20 will have its first floor windows in the side (south) elevation rather than towards no. 30. No. 30 is set at an angle to the application site and therefore the rear windows of the proposed properties will not directly face its rear windows. The impact of the proposal on this property is therefore considered acceptable.
42. Plots 21 – 24 will face north into the site, however there will be approximately 23m between the first floor windows of these properties and the windows in the side elevation of plot 20 which exceeds the interface guideline of 21m. The side elevation of plot 21 will face towards the rear of no. 36 Pear Tree Road, however there will be approximately 19m between the properties, exceeding the interface guideline of 12m. The side elevation of plot 24 will face the properties on Station Road. There will be no windows in this side elevation and the front windows of the proposed properties will be at right angles to the rear gardens. It is not therefore considered the proposal will result in an unacceptable loss of privacy to these properties. The side of the property proposed on plot 24 will face the rear of no. 25 Moor Road, which has a two-storey element on the rear. Although this relationship falls slightly short of the guideline of 12m (at 10.8m) between first floor windows and blank walls, it is not considered the proposal will cause an unacceptable loss of light, this is because of the orientation of the properties, any shadowing will only be limited to extremely early in the morning, which is considered acceptable.
43. Turning to the impact of the proposed development on the other properties on Station Road, plots 8 – 20 will face west towards their rear boundaries. Plots 8 – 10 will face towards Dob Cross Farm and Dob Cross Barn which bound with the site to the west. There will be 22m between the windows of Dob Cross Barn and the application properties and 11.5m between the first floor windows of the proposed properties and the boundary. The rear of plots 1 to 3 will face towards the rear of Dob Cross Barn, which has a single storey element on its north elevation with windows in. There will be between 11m and 12m between the first floor windows of the proposed properties on these plots and the boundary with Dob Cross Farm. All these distances comply with the interface guidelines. Moor Road rises as it approaches the junction with Station Road and the architect advises that the levels will be brought up by approximately 500mm. This will mean that Dob Cross Barn will be at a lower level than the application properties on this part of the site, however there are no first floor windows in this elevation of the Barn.
44. The side elevation of Dob Cross Farm faces towards the application site. There will be 21m between it and the property on plot 10 and also 11.5m to the boundary which complies with the interface distances. Plots 11 – 14 will face towards the garden of this property, however there will be 12m between their first floor windows and the boundary with Dob Cross Farm in excess of the interface guidelines.
45. Plots 15 and 16 will face towards the old corn mill, now in the ownership of 5 Station Road. There is a planning application (ref: 10/00643/FUL) currently under consideration to convert this to living accommodation, however only two high level windows at ground floor are proposed



facing towards the proposed properties to provide light to a kitchen area. The relationship between these properties is considered acceptable.

46. There will be between 10m and 13m between the first floor windows of plots 17 – 20 and the rear boundaries of the properties on Station Road which is considered acceptable and in accordance with the interface guidelines, which state there should be 21m between facing windows. There will be 26m between the first floor rear windows of no. 7 Station Road and the proposed properties on plots 17 and 18, and 21.9m between the windows on the nearest property on plot 19 and no. 9 Station Road (which has a two-storey rear extension). There will be 23m between nos. 11 and 13 Station Road and plots 19 and 20. These all comply with the Council's interface distances.
47. No.1 Moor Road is a large property divided into flats and is situated on the prominent corner of Moor Road and Station Road. It takes advantage of the land levels being two-storey at the front and three-storey to the rear. The side elevation of plot 1 will face the side elevation of this property and is a relationship that would be expected between the side elevations of adjacent properties.
48. It should be noted that the architect has advised that the topographical survey provides the most accurate survey of the surrounding properties, rather than the site plan. The topographical survey has therefore been used to assess the application in relation to neighbouring properties and the distances have been confirmed with the architect.
49. The proposed access will be adjacent to the rear boundaries with the properties on Station Road is considered acceptable as it is set off the boundary by parking spaces and spaced landscaping areas. The access road is also designed to keep traffic speeds low.

#### Impact on local services

50. Croston is a rural Village surrounded by Green Belt. The proposed development will increase the population of the Village and the indicative layout demonstrates that family accommodation will be provided on the site.
51. Lancashire County Council Local Education Authority (LEA) has requested a contribution towards education facilities due to the impact the development will have on pupil numbers. They have confirmed there will be sufficient secondary places to support the development. However, due to the rising birth-rate they are asking for a contribution from the developer for the full potential yield of places from the site of £94,719 in the form of a planning obligation (s106 Agreement).
52. Since 6 April 2010 planning obligations have had to comply with the Community Infrastructure Levy regulations in that they must meet the following tests:
  - (a) necessary to make the development acceptable in planning terms
  - (b) directly related to the development; and
  - (c) fairly and reasonably related in scale and kind to the development.
53. The request of the LEA is considered to comply with the regulations in this case subject to a clause in the legal agreement that the money will be spent within a 3 mile radius of the development, to ensure it is directly related to it.
54. Central Lancashire Primary Care Trust state there are no issues regarding access to GP services in Croston and have not requested any contribution to services. The existing service is therefore considered to be sufficient for the proposed development
55. Normally, such development would be required to contribute a sum of money per dwelling towards public open space. However, Adactus Housing Association has asked if this payment can be waived in this case as it would mean that the scheme isn't financially viable. They state they would be very grateful if this waiver could be agreed due the nature of the accommodation to be provided on the site and the high levels of grant funding applied for and considerable internal subsidy that the Association has put forward in order to make the scheme stack up. The scheme is for 100% affordable housing with a local connections policy to be applied. The

Local Education Authority has requested £94,719 towards primary school places (that the applicant had not budgeted for) and it is considered that the scheme would not be viable if both contributions were sought. Out of the two contributions, the contribution towards school places is considered the more important of the two.

56. Subject to the contribution towards school places being secured it is considered there are adequate facilities in the village to serve the proposed development.

#### Ecology

57. The application is accompanied by an Ecological Assessment. The County Ecologist has asked for a further survey to be undertaken in relation to reptiles and further information. The applicant advises that the further survey is being undertaken and it will be provided along with the information before the planning committee meeting. This information will be added to the addendum. Subject to this being satisfactory to the County Ecologist the application is considered acceptable in relation to Ecology. The Ecologist recommends a condition in relation to breeding birds. This is legislation separate and the planning system should not duplicate other legislation, however an informative note will be placed on any permission advising the applicant of the breeding birds issue.
58. In relation to the representation made about possible Great Crested Newts, there are no ponds on the site though there are two ponds within 250m of the site boundary. The Ecological Assessment states that the ponds are largely isolated from the survey area by roads and built-up areas reducing the potential for great crested newts to reach the survey site. Given the barriers between the pond and the site, and the suitable habitat immediately adjacent to the pond, the Ecological Assessment concludes the likelihood of great crested newts using the survey area is thought to be low.

#### **Other Matters**

59. Lancashire County Council have also requested £11,520 towards waste management, however they have not provided any justification for this amount or shown how it will be directly related to the development. It is not therefore considered that the request meets the requirements of the Community Infrastructure Levy in respect of planning contributions.
60. A Surface Water Assessment and Foul Sewerage Assessment have been done for the site and United Utilities have no objection to the proposal. The site is not within a Flood Zone as identified by the Environment Agency and they do not object to the application.
61. In relation to sustainable resources, conditions are proposed to ensure the requirements of Policy SR1 are met. The applicant is concerned that this may make the scheme unviable. Policy SR1 does make allowances for the viability of scheme as it states: *'All development should comply with Policy SR1 unless the applicant can demonstrate, including through the use of open book accounting, that an individual site's circumstances are such that development would not be feasible or viable if the policy were to be implemented'*. A clause will therefore be added to the normal condition that would give flexibility on the condition if the applicant can demonstrate through open book accounting that the requirements of Policy SR1 would make the development unviable.
62. With regards to the history of the site the application in 1998 (98/00779/OUT) that was refused for 5 detached houses and a 17 space car park was refused as it was contrary to the Lancashire Structure Plan (that is no longer in force) and the previous Local Plan as it was not for affordable housing to meet a recognised local need. It was not refused on highway grounds.
63. The Waste Management Officer has no objection to the proposal in terms of waste collection and storage. Bins within the proposed scheme are individual bins for each property, they are not large communal bins. It is not considered they will impact unacceptably on neighbouring properties.
64. The scheme includes a small landscaped area by the gable end of plot 20 in relation to the comments of the Police Architectural Liaison Officer. A condition regarding the approval of

details of fences, walls and gates is proposed for the scheme, which could include the side of plot 4 to the satisfaction of the Liaison Officer.

65. In relation to Croston Parish Plan, although this is not adopted for planning purposes it does state that young people are suffering from the high cost of houses in the village and that too much housing that there is too much housing that is expensive and unaffordable for local young people to get on the first rung of the housing ladder. It also states that cheaper housing is needed for children (who were) born here and want to stay here, and any further development should be for rented accommodation. Although the Parish Plan is not adopted for planning purposes it is considered that the proposed development with a Local Lettings Policy applied, will be in line with the aspirations of the Parish Plan.
66. A tree constraints plan has been submitted with the application. This states that the loss of tree on the site will not be a significant loss to amenity as they are predominantly in poor health and vigour and are rapidly reaching the end of their safe and useful life expectancy. The proposal includes provision for a considerable number of new trees to be planted as part of the landscape scheme that will adequately mitigate for the loss of trees.

#### Overall Conclusion

67. The principle of the proposal is acceptable in policy terms in accordance with GN4 providing it is in accordance with policy HS8. It is considered that the application meets the criteria of policy HS8 set out in this report and the application is therefore recommended for approval, subject to conditions and a s106 legal agreement. However, this recommendation of approval is subject to the additional information requested by the County Ecologist being received (and being to their satisfaction), an update will be placed on the addendum.

#### **Planning Policies**

68. National Planning Policies:  
PPS1, PPS3, PPS9, PPS22, PPS23, PPS25

#### Adopted Chorley Borough Local Plan Review

Policies:

GN4, GN5, GN9, EP4, EP9, EP17, EP18, HS4, HS5, HS6, HS8, TR4, LT14.

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

#### **Recommendation: Permit (Subject to Legal Agreement) 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. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted 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.

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

3. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

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

4. Unless it can be demonstrated through open book accounting that the requirements of Policy SR1 would make the development unviable:

1. No phase or sub-phase of the development shall commence until a Design Stage assessment and related certification has been submitted to and approved in writing by the Local Planning Authority demonstrating that the proposed development will be constructed to achieve the relevant Code for Sustainable Homes level. All dwellings commenced after 1<sup>st</sup> January 2010 will be required to meet Code Level 3, all dwellings commenced after 1<sup>st</sup> January 2013 will be required to meet Code Level 4 and all dwellings commenced after 1<sup>st</sup> January 2016 will be required to meet Code Level 6. In accordance with Policy SR1 of the Sustainable Resources DPD, renewable or low carbon energy sources must be installed to reduce the predicted carbon emissions of the development by at least 15% (increasing to 20% from 2015). To demonstrate that this has been achieved, the Design Stage certification must show that the proposed development will achieve 2 credits within Issue Ene 7: Low or Zero Carbon Technologies. The approved details shall be fully implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

2. No dwelling shall be occupied until a Code for Sustainable Homes 'Post Construction Stage' assessment has been carried out and a final Code Certificate has been issued certifying that the required Code Level and 2 credits under Issue Ene7 has been achieved and the certificate has been submitted to and approved in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area. In accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

5. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on 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 HS8 of the Adopted Chorley Borough Local Plan Review.*

6. 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.*

7. Before the development hereby permitted is first occupied, the car park and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with

the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

*Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR8 of the Adopted Chorley Borough Local Plan Review.*

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

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

9. Notwithstanding the details shown on the submitted plans, the proposed driveway/hardsurfacing to the front of the property shall be constructed using permeable materials on a permeable base, or provision shall be made to direct run-off water from the hard surface to a permeable or porous area or surface within the boundaries of the property (rather than to the highway), unless otherwise agreed to in writing by the Local Planning Authority.

*Reason: In the interests of highway safety and to prevent flooding, in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review and PPS25*

10. 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 of the Adopted Chorley Borough Local Plan Review.*

11. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s).

*Reason: To protect the appearance of the locality and 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.*

12. No development shall take place until a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

*Reason: To secure proper drainage and to prevent flooding and in accordance with PPS25 and Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.*

13. Before the development hereby permitted commences, a Phase II: Intrusive Site Investigation shall be carried out as detailed at page 12 of the Sutcliffe Phase I Desk Study submitted with the application. Where the Phase II study deems necessary a remediation strategy/detailed specification for remedial works shall be submitted to and approved in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the approved details unless otherwise agreed to in writing.

*Reason: In the interest of safety and in accordance with PPS23.*

14. 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.*

15. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without

modification), no windows other than those expressly authorised by this permission, shall be inserted or constructed at any time in the side elevations of the properties hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining property and in accordance with policy HS4 of the Adopted Chorley Borough Local Plan Review.*

16. The approved plans are:

Plan Ref.	Received On:	Title:
P1126 05 Rev G	23 July 2010	Proposed Site Plan
P1126 06 Rev A	23 July 2010	Site Elevations/Sections
P1126 SK06 Rev B	23 July 2010	Unit A1 Floor Plans & Elevations
P1126 SK07 Rev B	23 July 2010	Unit A2 Floor Plans & Elevations
P1126 SK08 Rev B	23 July 2010	Unit A3 Floor Plans & Elevations
P1126 SK09 Rev B	23 July 2010	Unit A4 Floor Plans & Elevations
P1126 SK10 Rev B	23 July 2010	Unit A5 Floor Plans & Elevations
P1126 SK11 Rev B	23 July 2010	Unit B1 Floor Plans & Elevations
P1126 SK12 Rev B	23 July 2010	Unit B2 Floor Plans & Elevations
P1126 SK13 Rev B	23 July 2010	Unit B3 Floor Plans & Elevations
P1126 SK14 Rev B	23 July 2010	Unit B4 Floor Plans & Elevations
P1126 SK15 Rev B	23 July 2010	Unit B5 Floor Plans & Elevations
P1126 SK16 Rev B	23 July 2010	Unit C1 Floor Plans & Elevations
P1126 SK17 Rev B	23 July 2010	Unit C2 Floor Plans & Elevations

*Reason: To define the permission and in the interests of the proper development of the site.*

17. 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.*