

## **APPLICATION REPORT – 19/00906/REM**

**Validation Date: 26 September 2019**

**Ward: Euxton North**

**Type of Application: Reserved Matters**

**Proposal: Reserved matters application for the erection of 9 dwellings (appearance, landscaping, layout, and scale) pursuant to outline planning permission 15/01092/OUT (granted on appeal).**

**Location: Land North Of The Railway Public House Wigan Road Euxton**

**Case Officer: Mike Halsall**

**Applicant: On Point Developments Ltd**

**Agent: B2 Architecture Ltd**

**Consultation expiry: 13 November 2019**

**Decision due by: 13 December 2019**

---

### **RECOMMENDATION**

1. It is recommended that this application is approved subject to conditions.

### **SITE DESCRIPTION**

2. The application site is located within the settlement area of Euxton, adjacent to the Green Belt boundary and is bounded to the east by a railway line. It comprises an existing car park associated with the Railway Public House which is accessed off Wigan Road with the land level rising slightly from the road level. The site is partly laid out for parking associated with the public house with two vehicular access points into the site to serve the car park.
3. Planning permission was granted in November 2018 for the change of use of the adjacent public house to a children's nursery (ref. 18/00701/FUL). Adequate parking for the nursery is provided on-site and there would be no conflict with the proposed housing development in this regard.
4. Outline planning permission for the erection of up to 9 dwellings on the site, with all matters reserved save for access, was granted on appeal in October 2016 (ref. 15/01092/OUT). It is that permission to which this reserved matters application relates.
5. There is no legal agreement attached to the outline consent as there is no requirement for financial contributions for amenity greenspace, parks and gardens, greenspace, allotments or playing pitches due to fewer than 11 dwellings being proposed. A financial contribution towards off-site provision for children/young people would normally be required in this area but can only be requested if there is an identified scheme for new provision and at present no new schemes are identified. Further, there is no requirement for the provision of affordable housing as part of the development.

## **DESCRIPTION OF PROPOSED DEVELOPMENT**

6. The application seeks approval of reserved matters relating to the appearance, landscaping, layout and scale of nine dwellings, approved by outline planning permission ref. 15/01092/OUT.
7. All of the nine proposed dwellings are two storey. Three dwellings (Units 1 to 3) are proposed to be 4 bedroom and consist of two semi-detached and one detached dwelling. These dwellings would be located fronting Wigan Road with parking to the rear. The remaining six units would be semi-detached, 3 bedroom dwellings, backing onto the railway line, with parking to the front. Acoustic fencing would be provided between the rear gardens and the railway line to provide noise mitigation.
8. The dwellings would be consistent in design with standard construction materials of brick walls and slate roofs.

## **REPRESENTATIONS**

9. Representations have been received from two individuals raising objections on the following grounds (summarised):
  - Springfield Gardens residents are seeing an increase in non-resident parking which the area and the road layout cannot support
  - Additional traffic causes risks of accidents and to the safety of young children
  - The car show room opposite and the new change of use of the pub to a nursery will exacerbate the problem
  - If approved, signage and road markings are required in Springfield Gardens
  - The entrance to Springfield Gardens has become dangerous from parked cars
  - Vehicles speed on Wigan Road
  - There will be a loss of car parking spaces in the pub car park, making the situation worse
  - Speed cameras and bumps would help between the Railway Inn and traffic lights at the Bay Horse cross-roads
10. Relevant material planning considerations, which have been raised within the representations are assessed in full in the planning considerations section below.

## **CONSULTATIONS**

11. Greater Manchester Ecology Unit: Have responded raising no objections to the proposal and recommend an informative be attached to any grant of planning permission for the protection of great crested newts, in the unlikely event they are found on-site. Ecological enhancement measures have also been requested in the form of bat bricks and/or tubes, bird boxes and the use of native tree and shrub planting. These measures can be delivered via a suitably worded planning condition.
12. Lancashire County Council Highway Services (LCC Highways): Have responded raising no objections to the scheme, providing the proposed layout be amended to provide a sufficient turning head for refuse vehicles and to improve the parking arrangements for cars. LCC has requested four conditions be attached to any grant of planning permission. Some of the conditions are already covered by conditions on the outline planning consent and so there is no need to duplicate these requirements.
13. Regulatory Services - Environmental Health: Have responded raising no objections to the scheme providing the acoustic fencing, double glazing and trickle vents referred to in the applicant's noise assessment submitted in support of the Outline planning application be installed.
14. Waste & Contaminated Land: Have responded raising no objections to the scheme and recommend conditions to be attached to any grant of planning permission. The condition is

however already covered by a condition on the outline planning consent and so there is no need to duplicate this requirement.

15. Lancashire Constabulary Architectural Liaison: No response has been received at the time of writing the report.
16. Council's Trees Officer: Has responded to state that the line of trees to the north of the site includes some good quality trees with moderately high amenity value. The root protection areas of these trees should be considered. A suitably worded condition could ensure the protection of these trees throughout the construction period.
17. United Utilities: No comments have been received.
18. Lead Local Flood Authority: Have responded with no comments.
19. Network Rail: Have responded to highlight a number of issues which the developer must consider prior to commencing works on-site. It is considered that an informative should be attached to any grant of planning permission to highlight these issues and the importance of the developer agreeing details with Network Rail.
20. Euxton Parish Council: No response had been received at the time of writing this report.

## **PLANNING CONSIDERATIONS**

### Principle of the development

21. The acceptability of the principle of the development has been established by the grant of outline planning permission.

### Impact on character and appearance of locality

22. The National Planning Policy Framework (the Framework) attaches considerable importance on achieving good design and a high quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high quality design is reflected in the Central Lancashire Core Strategy (policy 17) and the Chorley Local Plan 2012 - 2026 (policy BNE1). It is considered that dwellings of the design proposed would be appropriate to the character of the area.
23. The nearest residential dwelling to the application site is no. 21-23 Wigan Road, located approximately 20m to the north of the application site boundary. There is a strip of land between the application site and the dwelling to the north which does not form part of the proposed development site. The dwelling to the north is of stone construction which contrasts to the modern design of the new proposed dwellings, however the separation distance involved, and a line of well-established trees would avoid any negative interaction in this regard. The dwellings fronting Wigan Road on the Springfield Gardens development are of a larger scale than those proposed here but are constructed of similar facing materials. Whilst they are separated from the development site by the Railway Public House, the proposal would form a logical extension of residential development northwards along Wigan Road.
24. In light of the above, the proposal would not cause harm to the character and appearance of the locality. The development therefore complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

### Neighbour amenity

25. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
26. The proposed development would be located approximately 20m from the boundary of the nearest residential property of no. 21-23 Wigan Road and even further from the dwelling

itself. The side elevation of no. 21-23 Wigan Road facing the proposed development site contains no windows. The side elevation of the nearest proposed dwelling (Unit 9) faces the garden of no. 21-23 Wigan Road and only contains a landing window circa 15m away. The degree of separation and relative positioning are such, therefore, that there would be no unacceptable impact on light, outlook or privacy as a result of the proposed development.

27. The proposed dwellings have been designed in such a way so as to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.
28. In light of the above, it is considered that the proposal would be acceptable in terms of amenity impacts and accords with policy BNE1 in this regard.

#### Noise from the railway line

29. A noise assessment was submitted in support of the outline planning application which identified mitigation measures to be employed to safeguard the amenity of future residents of the proposed development. Planning condition 14 of the outline planning permission requires such measures to be implemented prior to occupation of the dwellings. The Council's Environmental Health Officer has responded to state they have no objection to the proposal providing these measures are implemented. As such, it is considered that the proposal would be acceptable in terms of noise impacts upon future occupants of the dwellings from the railway line.

#### Highway safety

30. The point of access from Wigan Road was approved as part of the outline planning permission and would be constructed under a s278 agreement. The site layout has been amended to conform with the required standards and meets with LCC approval.
31. Adequate parking spaces are proposed to serve the 3no. 4 bedroom dwellings (3 spaces per dwelling) and 6no. 3 bedroom dwellings (2 spaces per dwelling) complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
32. It is considered that the surrounding highway network could accommodate the uplift in traffic associated with the delivery of the dwellings and that the residual cumulative impacts on the road network would not be severe. It is also noted that LCC Highways have no objection to the proposed development subject to the imposition of conditions.

#### Ecology

33. The application site consists predominantly of hardstanding and is not considered to provide any substantive nature conservation importance. A pond is located approximately 150 metres to the south-east of the site which has a record for great crested newt (GCN). This pond is located across a railway track which forms a barrier to GCN movement and the habitat on the site does not provide cover for this species. The Greater Manchester Ecological Unit are satisfied that the application can be forwarded for determination and that any permission if granted is supported by an informative should any GCN be found on-site. It is considered that a suitably worded condition to protect nesting birds would ensure that the proposal is acceptable in ecological terms.

#### Community Infrastructure Levy

34. 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**

35. The details of the proposed dwellings are considered to be acceptable and the reserved matters application is recommended for approval.

## RELEVANT HISTORY OF THE SITE

**Ref:** 15/01092/OUT      **Decision:** REFFPP      **Decision Date:** 12 February 2016  
**Description:** Outline application for the erection of up to 9 dwellings all matters reserved save for access

**Ref:** 19/00794/OUT      **Decision:** PERFFP      **Decision Date:** 9 October 2019  
**Description:** Section 73 application to remove condition 15 (parking layout) of planning permission ref: 15/01092/OUT (Outline application for the erection of up to 9 dwellings all matters reserved save for access).

**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 Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

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

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

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

Title	Plan Ref	Received On
Location Plan	Drawing No. 04	20 September 2019
Plans and Elevations Plots 1, 2 and 3	Drawing No. 02 Rev A	22 November 2019
Plans and Elevations Plots 4 to 9	Drawing No. 03	20 September 2019
Landscape Plan	19-232/001	27 November 2019
Site Plan	Drawing No. 01 Rev B	29 November 2019

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

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.*

5. 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.*

6. During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.

*Reason: To safeguard the trees to be retained.*

7. Before the dwellings hereby permitted are occupied, details of proposed species to be planted or introduced by seed to the site and a bird and bat box plan shall be submitted to and approved by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

*Reason: For maintenance and enhancement of biodiversity.*

8. 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 plan 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.*

9. No part of the development shall be commenced until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be 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.*

10. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition 9 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.*

11. The external facing materials, details of which were received on 27.11.2019 and 29.11.2019, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority, when the development shall then be carried out in accordance with the alternatives approved.

*Reason: To ensure that the materials used are visually appropriate to the locality.*