

Item 9	09/00507/OUT	Outline App Permitted with Legal Agmnt
Case Officer	Mr Andy Wiggett	
Ward	Eccleston And Mawdesley	
Proposal	Erection of 5 No. 2.5 storey and 1 No. 2 Storey houses and associated works	
Location	Land 35m West Of 19 Bannister Lane Eccleston Lancashire	
Applicant	Lancashire County Council	
Proposal	<p>The application, in outline form, seeks permission for the erection of six dwellings on a vacant piece of land off Bannister Lane in Eccleston. The site is within the settlement boundary of Eccleston. An illustrative layout has been submitted but this does not form part of the application, indicating how five 2.5 storey dwellings and one 2 storey dwelling can be accommodated within the site.</p>	
Policy	<p>Regional Spatial Strategy : L4 – Regional Housing Provision RDF2 - Rural Areas Chorley Borough Local Plan Review: Policy GN3, GN5, LT15, TR4</p>	
Planning History	No relevant recent history.	
Consultations	<p>Coal Authority – standard comments Lancashire County Highway Authority - No objections to amended layout. Parish Council – Appreciates this is merely an outline application but objects as 2.5 storey houses will have a detrimental impact on the street scene as there are no similar properties in the vicinity; the plans show an existing footpath to be rerouted – do we have any ideas as to how and where? Architectural Liaison Officer – As the development progresses I would be pleased to assist with the Secured by Design approach. The footpath crossing the site is well used in particular during term time by parents and children going to and from St Mary’s Primary School. County Ecologists – if required bat mitigation/compensation proposals be implemented. Implement precautionary measures for great crested newts and make applicants aware of their responsibilities. Tree felling and vegetation clearance to be avoided between March and July. Neighbourhoods – need a desk study and risk assessment of the potential for ground contamination</p>	
Representations	<ul style="list-style-type: none"> - land cleared and abandoned to become overgrown - restrictive covenant on the reserving it for road widening - safety issue connected with the footpath going through the site with people having to negotiate the parking area - 6 dwellings is excessive for this small piece of land - narrow entrance from Larkfield could pose problems for refuse 	

- vehicles
- height of proposed dwellings tower above existing properties
- best use of land would be to landscape it and it become a memorial garden
- if building must happen it should be for three bungalows
- should be a maximum of 4 dwellings
- impact on residents of adjoining properties by overlooking, loss of privacy
- how would construction traffic access the site and site kept secure

Applicant's Case

- the site is in a sustainable location within walking distance of local amenities including shops, library and schools
- site is not allocated as amenity open space and the site does not make a significant contribution to the character of the area
- land is wholly within the built up area and complies with Local Plan housing policies
- development will be compatible with the surrounding area

Assessment

The main issues connected with the application concern Local Plan policies for development in Ecclestone, highway considerations, design considerations and neighbour amenity.

Local Plan Policies

The site lies within the settlement boundary of Ecclestone and Policy GN3 offers specific guidance to the effect that so long as the site is wholly within the existing built-up extent of the settlement market housing development would be acceptable. Sites in Ecclestone are not limited to infill as in other rural settlements.

Policy LT15 refers to other open land which makes a significant contribution to the character of an area and that development on such sites will not be permitted. It is considered that it would be difficult to argue that the site makes a significant contribution to the character as it small in size, left over from the erection of the telephone exchange to the north and there are several other areas of designated amenity open space within a short distance. The land was acquired in 1975 for a now abandoned road improvement scheme. It is also not considered that the site has any wildlife or ecological value especially as it has been cleared and has since become overgrown and rubbish is accumulating.

Overall developing the site for residential purposes could be seen as assisting in consolidating the built form in this part of Ecclestone.

Highway Considerations

The previous application was withdrawn following a recommendation from the County Highway Authority. The illustrative layout has been redesigned so as to overcome the objections raised and the Highway Authority now have no objections. With regard to the footpath crossing the site, the applicant can divert this using the statutory procedure but it is essential that it is designed in a safe manner and lighting is

maintained.

Design Considerations and Neighbour Amenity

The design and access statement explains that the houses on the illustrative layout are to be 2 and 2.5 storeys in height. The latter can be designed by steepening the roof pitch and using rooflights to allow rooms on the roof space. Houses of this type will not necessarily look out of place in this location given the variety of house types around the site. The critical issue is how the dwellings relate to the dormer bungalows immediately adjacent in terms of interface distances and any possible overshadowing. As such the Council's standards have been complied with in terms of the siting of dwellings shown on the illustrative layout except in relation to plot 03 which shows a house with habitable room windows within 16m of the adjacent dwelling and a condition is required to ensure there are no habitable room windows on that elevation so as to meet the necessary interface distance. It is also necessary to impose a condition to ensure that there are blank western side elevations on plots 01 and 05 so as to prevent overlooking of the gardens of the adjoining properties. As it would be possible to design a house with a blank gable on this elevation it is not considered necessary to refuse the application on these grounds.

Conclusion In principle, the development of the site for housing purposes is considered acceptable. The illustrative layout shows how the site can accommodate six dwellings. There are no highway objections.

Recommendation **Permit subject to a S106 agreement covering a contribution to playspace provision.**

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 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.

3. 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 plans) 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.

4. Before the development hereby permitted is first commenced, full details of all reserved matters (namely the siting, design, external appearance of the buildings, the means of access thereto and the landscaping of the site) shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5, HS4 and TR4 of the Adopted Chorley Borough Local Plan Review.
