

**Item 2**                      **09/01014/FUL**                      **Refuse Full Planning Permission**

**Case Officer**              **Mr Andy Wiggett**

**Ward**                              **Clayton-le-Woods And Whittle-le-Woods**

**Proposal**                      **Erection of 7 detached dwellings, garaging and associated infrastructure following demolition of the existing dwellings The Coppice and The Royle.**

**Location**                      **The Royle And The Coppice Shaw Hill Whittle-Le-Woods ChorleyPR6 7PP**

**Applicant**                      **Wainhomes (North West) Ltd**

**Proposal**                      The application relates to the demolition of two existing dwellings and their replacement with seven detached houses. The site is part of the Shaw Hill Estate an area of land off the A6 Preston Road in Whittle-le-Woods which has been developed by the erection of individual dwellings served by two private roads. The roads both lead up to the Shaw Hill

**Background:**                      Planning permission was granted in October 2007 for a development using the same house types on Spinney Close following the demolition of a dwelling on the site. The current application site is about 35m away.

**Policy**                              **Chorley Borough Local Plan Review**  
GN1 - Settlement Policy – Main Settlements  
GN5 – Building Design  
HS4 – Design and Layout of Residential Developments  
HS6 – Housing Windfall Sites  
SPD – Householder Design Guidance  
**Planning Policy Statement 1 – Delivering Sustainable Development**  
**Planning Policy Statement 3 - Housing**

**Planning History**              No relevant planning history

**Consultations**                      Parish Council – proposed plots are smaller than surrounding properties. Would wish to see number reduced by 3. Does applicant have right to access via private road?  
Neighbourhoods – would wish to see a risk assessment carried out with regard to the potential for ground contamination and any necessary remediation.

**Representations**              18 letters of objection have been received raising the following issues:

- Increased traffic on private road will cause unacceptable damage
- Scale and density of proposed house out of character
- Scheme involves use of private land for access, no deliveries should be made via Shaw Hill Drive
- Noise and disturbance caused by development
- Timing of bat survey
- Stone wall at top of Shaw Hill Drive is of special architectural interest

- Letter received from Planning Consultant on behalf of local residents specifying objections as follows:  
Local character of surrounding area in terms of density and garden sizes not been considered  
Use of standard house types does not take account of local distinctiveness and landform of site  
Siting of proposed dwellings facing Shaw Hill ignores well defined existing building line which maintains spaciousness of cul-de-sac  
Gainsborough house type will appear overdominant in the streetscene and out of scale with surrounding dwellings  
Plot 7 will overshadow adjacent existing dwelling, and for plots 5 and 7 will create a poor frontage to Shaw Hill.  
No cross sections or details of retaining walls which will be required.  
No landscaping details submitted  
Increased risk of surface water run-off

### **Applicant's Case**

- Site is in a sustainable location
- No standard house types in the area with a mix of traditional and modern properties
- Development will further diversify house types available within locality with easy access to shops and facilities

### **Assessment**

There are a number of planning issues that need to be considered, including the principle of the development, the impact on the character of the area and trees, impact on neighbouring properties and highway safety.

#### Principle of Dwellings on the Site

Planning Policy Statement 3: Housing (PPS3) is the national planning guidance that sets out the Government's national policies on housing and is a material consideration in determining planning applications.

PPS3 defines previously developed land (also known as brownfield land) as that which was occupied by a permanent structure, including the curtilage of the developed land and any associated fixed surface infrastructure. The application site is therefore considered to be previously developed land under this definition. The development of previously developed land is encouraged over the use of greenfield sites. The principle of redevelopment of the site is therefore acceptable in principle in line with planning policy.

It is considered that the proposals are in line with national planning guidance PPS1 and Local Plan Policy GN9 and HS6, in that the site is considered to be located in a sustainable location, accessible via a variety of transport methods with a range of local services in the area.

#### Impact on Character and Appearance of the Area:

The scheme proposes to demolish two dwellings and replace it with seven, therefore resulting in a net increase of five dwellings on the site. In terms of density, PPS3 states that new developments should be at a minimum density of 30 dwellings per

hectare. The current proposal at 22 dwellings per hectare is below this density, but it is considered in this case the lower density can be justified in terms of the character of the area, as many of the surrounding properties are large detached dwellings on significant plots. The issue of character has been assessed at numerous appeals and been upheld only in the case of Conservation Areas. It is considered that the nature of the development in The Shaw Hill area does not display a consistent distinctive character sufficient to insist that the use of standard house types is unacceptable. It is not considered that the application could be refused on the number of dwellings proposed being too many for the site or on housing style and type as the scheme is already lower in density than set out in PPS3. The matter of landscaping can be dealt with by the appropriate condition.

#### Highway Safety

In terms of parking each dwelling will have a double garage and driveway, which is considered sufficient to serve the dwellings. The use of the private roads is not a planning issue and is a matter between landowners to resolve.

#### Neighbour Amenity

The guidance in PPS1 states that good design should be integrated into the existing urban form and the natural and built environments and PPS3 amplifies this by stating that development should be well integrated with and complement the neighbouring buildings and the local area more generally in terms of scale, density layout and access. To that extent it is considered that the relationship of the Gainsborough house type with adjoining properties is unacceptable. It will overshadow adjacent houses and not satisfy, in the case of The Spinney, the 45 degree rule. The large two storey projection of the house type is considered to be an anomalous feature in the streetscene of both Shaw Hill and Shaw Hill Drive such as to amount to bad design.

The difference in levels from the site to Shaw Hill Drive means that the indicated drives would be unachievable and require ground remodelling and the use of retaining walls. Insufficient detail has been provided to assess its impact on the streetscene and neighbouring property. The distance between plot 7 and the bungalow opposite, Bramblewood is 25m, however the difference in floor levels is 3.6m and is considered to be overdominant.

The difference between the first floor windows of the properties on Shaw Hill Drive is 23m and as they are at a similar height to those proposed, this is considered acceptable.

#### Commuted Sum

As this application relates to a net increase of five new dwellings on the site there is a requirement for a financial contribution towards equipped play space. This can only be secured through a Section 106 agreement.

#### Other Matters

Although the comments made by neighbours regarding possible damage to the road during construction are noted, this is not a planning issue which can be taken into account when determining the application.

**Conclusion**

The principle of the re-use of a brown field site is acceptable but the use of standard house types, namely the Gainsborough has resulted in an unacceptable layout. The design of these houses with their large two storey front projection has an will give rise to an unacceptable impact on adjacent property and on the streetscene. The application layout does not show sufficient detail as to how the differences in level of the site can be accommodated without giving rise to an adverse impact on the streetscene.

**Recommendation: Refuse Full Planning Permission****Reasons**

1. The application is unacceptable in that it lacks sufficient detail in terms of levels and cross sections in relation to properties around the site to enable the impact to be further assessed.
  2. The proposal is an unacceptable layout which gives rise to adverse impacts on the amenity of properties adjacent to plots 5, 7 and 1 as a result of an adverse relationship between dwellings, differences in levels and unacceptable impact on the streetscene.
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