

APPLICATION REPORT – 22/00034/REM

Validation Date: 20 January 2022

Ward: Croston, Mawdesley And Euxton South

Type of Application: Reserved Matters

Proposal: Reserved matters application pursuant to outline planning permission ref.19/00564/OUT (Outline application for the erection of 4no. dwellings and associated garages and parking following demolition of the existing commercial building (with all matters reserved save for access)) seeking approval of details of appearance, layout, scale, landscaping, emission rates, materials, boundary treatments, site levels, broadband strategy and remediation strategy (condition nos. 1, 3, 6, 7, 9 and 12)

Location: 20 New Street Mawdesley Ormskirk L40 2QP

Case Officer: Mike Halsall

Applicant: Mr G Hough, Solid Bond Homes

Agent: Robert Smallwood, 3DG Design Limited

Consultation expiry: 17 February 2022

Decision due by: 27 May 2022 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that reserved matters consent is granted subject to conditions.

SITE DESCRIPTION

2. The application site is located within the settlement area of Mawdesley and is allocated for employment under policy EP1.17 of the Chorley Local Plan 2012 – 2026. The site was previously occupied by a vehicle repairs garage and workshop and the associated outdoor storage and manoeuvring areas. The building has since been demolished and the site largely consists of open scrubland.
3. The site is set behind dwellings fronting New Street to the north west, with an existing access to the side off 20 New Street. There is an industrial site to the south west and recently constructed dwellings to the south east on Asland Drive that back-on to the application site, with mature trees along the site boundary. There are gardens and open land to the north east. The character of the area is that of a rural village surrounded by open agricultural land with more dispersed development.
4. Outline planning permission was granted in November 2021 for the erection of 4no. dwellings and associated garages and parking following demolition of the existing commercial building (with all matters reserved save for access).

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks approval of the reserved matters associated with the above referenced outline planning permission relating to details of appearance, layout, scale, and landscaping. Details of emission rates, materials, boundary treatments, site levels, broadband strategy and a remediation strategy have also been submitted to meet the requirements of conditions attached to the outline planning permission.

6. The submitted plans identify four detached two storey dwellings laid out in an 'L' shaped pattern of development with the dwellings on plots 1 and 2 orientated side-on to the dwellings on New Street to the west and plots 3 and 4 backing-on to the rear of the newly erected dwellings to the east on Asland Drive. Each dwelling would have four bedrooms and plots 1 and 3 each have a detached double garage, plot 2 would have a detached single garage and plot 4 would have an attached single garage.

REPRESENTATIONS

7. Two neighbour objections have been received in relation to the proposed development. One from the occupant of no.22 New Street in relation to the location of the double garage proposed to serve plot 1 and its proximity to the resident's conservatory and rear garden and a resultant loss of light. The second objection was received from the occupant of no.22 Asland Drive relating to a loss of privacy from overlooking from the dwellings proposed on plots 3 and 4.

CONSULTATIONS

8. Mawdesley Parish Council: Have responded raising objection to the proposal in relation to adverse impact upon drainage and sewers which they state are overwhelmed and would therefore create further pressure on the overwhelmed infrastructure. They state the development is inappropriate as is in a flood risk area.
9. Greater Manchester Ecology Unit: Initially responded to request changes to the proposed planting schedule to include more native plant species. Upon receipt of a revised planting schedule and landscaping scheme, responded with no objection to the proposal.
10. Lancashire County Council Highway Services (LCC Highway Services): Have responded with no objection to the proposal and requested that the proposed garages be increased in size to meet their guideline dimensions, which was subsequently implemented by the applicant. LCC Highway Services have recommended conditions be attached in relation to the layout of vehicle manoeuvring areas and the implementation of wheel cleaning during construction work.
11. Waste & Contaminated Land Officer: Have responded to state the following:

'The Ground Investigation has indicated some ground contamination that requires attention. The report recommends remedial action by installation of a 600mm/450mm cover layer of clean soils in rear/front & side gardens/ open spaces. The applicant should confirm the remediation methodology and ensure this is carried out. This should be confirmed by a validation report once completed, prior to the occupation of housing.'

It is considered that the above can be adequately dealt with via a suitably worded planning condition and requires no further assessment in this report.

12. United Utilities: Have not responded on this occasion. It is noted that they responded to the previous outline planning application for this site with no objection.

PLANNING CONSIDERATIONS

Principle of the development

13. 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

14. 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 (policy BNE1). It is

considered that detached dwellings of the design proposed would be appropriate to the character of the area.

15. The prevailing dwelling types within the vicinity of the application site are detached two storey houses, bungalows and dormer bungalows. However, elsewhere in Mawdesley, a wide range of dwelling types and design styles exist from the traditional to the modern.
16. The proposed four detached dwellings are of a modern design and appearance with some interesting features. The materials palette consists of rural blend red brick, sandstone detailing, cream UPVC windows, roughcast render and grey roof tiles.
17. It is considered that the four detached properties in this location would assimilate with the built form of Mawdesley, particularly given that a residential development is being implemented to the south east of the site, and the house adjacent to the site entrance is a two storey detached house. The position of the dwellings themselves would be largely concealed from public view in any event given the position of the site, and the addition of four dwellings would have a negligible impact in terms of the character of the village.
18. Care has been taken to ensure site levels remain consistent with surrounding dwellings and mature trees and vegetation to the periphery are proposed to be retained, other than four trees due to poor health. Eight trees and over 150m of new hedgerow would be planted as part of the proposal, along with substantial areas of amenity grassland.
19. The proposal is considered to be acceptable in terms of character and appearance and complies with policy BNE1 of the Chorley Local Plan 2012 - 2026.

Impact on neighbour amenity

20. 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.
21. It is noted there has been two neighbour objections to the proposed development.
22. The submitted plans have been revised following the comments made by an occupant of no.22 New Street to reposition the garage that would serve Plot 1, moving this to the south behind no.20 where there is a greater separation distance to neighbouring dwellings.
23. There are no side windows in the facing elevation of the dwelling on plot 1 that could overlook into the rear gardens of the properties on New Street and the dwelling on plot 1 is positioned so to not be directly faced by either of the closest dwellings on New Street.
24. There is 14m between the rear elevations of plots 3 and 4 and the shared boundaries with the dwellings on Asland Drive and a further 10m to the dwellings themselves.
25. The degree of separation and relative positioning are such therefore that there would be no unacceptable impact from loss of light, overshadowing, or loss of privacy on the occupiers of surrounding dwellings as a result of the proposal.
26. 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.
27. In light of the above, it is considered that the proposal is acceptable in terms of amenity impacts and accords with policy BNE1 in this regard.

Highway safety

28. The proposed site access from New Street has already been determined to be acceptable by the approval of the outline planning permission which sought detailed consent for access.

29. Adequate parking spaces are proposed to serve the development by way of garages and driveway space. This would ensure that the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
30. 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 Highway Services have no objection to the proposed development subject to the imposition of conditions.

Ecology and trees

31. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
32. The application site consists of scrubland, hardstanding and some mature trees and hedgerows to the site perimeter. As previously noted, the mature trees and vegetation to the periphery of the site are proposed to be retained, other than four trees due to poor health. The condition of these trees has been agreed with the Council's Tree Officer. Eight trees and over 150m of new hedgerow would be planted as part of the proposal, along with substantial areas of amenity grassland.
33. The Greater Manchester Ecological Unit are satisfied with the proposed landscaping details, which includes a management plan to secure the future care of the landscaping measures. All of the landscaping details can be secured by planning condition. The proposal is considered to comply with policy BNE9 of the Local Plan and is acceptable in terms of impacts upon ecology and trees.

Flood risk and drainage

34. Mawdesley Parish Council's objection to the application in relation to flood risk is noted.
35. The application site is not located in an area that is at risk of flooding from pluvial or fluvial sources, according to Environment Agency mapping data. In accordance with the National Planning Policy Framework (NPPF) and the National Planning Practice Guidance (NPPG), the site should be drained on a separate system with foul water draining to the public sewer and surface water draining in the most sustainable way.
36. The NPPG clearly outlines the hierarchy to be investigated by the developer when considering a surface water drainage strategy. As such the developer should consider the following drainage options in the following order of priority:
 1. into the ground (infiltration);
 2. to a surface water body;
 3. to a surface water sewer, highway drain, or another drainage system;
 4. to a combined sewer.
37. The application is supported by a Drainage Strategy Report that has assessed the ground conditions of the site as being unsuitable for ground infiltration of surface water. It is, therefore, proposed to discharge surface water to an existing watercourse that runs from south to north within the eastern boundary of the site to which surface water from the site presently discharges. The rate of discharge would be controlled by surface water pipes and chambers and within two attenuation tanks.
38. Foul water is proposed to connect with the existing foul sewer in New Street.
39. On completion of the construction works, a suitably qualified Management Company will be contracted to manage and maintain the developed site. The management company will be responsible for the inspection, maintenance and repair of all communal drainage infrastructure and communal access and landscape areas. Minor drains and driveway areas will remain outside the management company and will be the responsibility of the

property owners. The drains and chambers will be inspected at six monthly intervals and will be cleaned and repaired as necessary to maintain a fully operational system of drainage. The operation and work of the Management Company will be financed through a legal contract with each property on which will be levied an annual fee.

40. United Utilities, the Lead Flood Authority and the Council's Building Control department will need to approve the proposed drainage network under separate legislation, prior to its installation. In planning terms, it is considered to be acceptable as the proposal meets the aforementioned national planning policy requirements.

Community Infrastructure Levy

41. 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

42. The submitted details of reserved matters are considered to be acceptable and the application is recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 19/00564/OUT **Decision:** PEROPP **Decision Date:** 30 November 2021
Description: Outline application for the erection of 4no. dwellings and associated garages and parking following demolition of the existing commercial building (with 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
Site Location Plan	N/A	6 December 2021
Site Plan	04 Rev C	3 February 2022
Plot 1 Plans	05	6 December 2021
Plot 1 Elevations	06	6 December 2021
Plot 2 Plans	07	6 December 2021

Plot 2 Elevations	08	6 December 2021
Plot 3 Plans	09	6 December 2021
Plot 3 Elevations	10	6 December 2021
Plot 4 Plans	13 Rev A	3 February 2022
Plot 4 Elevations	14	6 December 2021
Single Garage	12 Rev A	3 February 2022
Double Garage	13 Rev A	3 February 2022
Materials	15	6 December 2021
General Arrangement Plan - Landscaping	SJ.NSM.01 Rev B	7 March 2022
Planting Schedule and Outline Specification	SJ.NSM.03 Rev B	7 March 2022
Boundary Treatment	SJ.NSM.02 Rev A	3 February 2022
Proposed Drainage Layout	C-0968-02 Rev A	31 March 2022

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

4. The external facing materials, detailed on the approved plan ref. 15 received on 06.12.2021, shall be used and no others substituted unless alternatives are first submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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

5. 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.

6. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

Reason: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

7. All planting, seeding or turfing identified on approved plan refs. SJ.NSM.01 Rev B and SJ.NSM.03 Rev B 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 earlier, 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. All works shall be undertaken in strict accordance with the approved Landscape and Open Spaces Management Plan, dated February 2012.

Reason: In the interest of the appearance of the locality.

8. No works to trees and shrubs or vegetation clearance or demolition of buildings shall occur between the 1st March and 31st August in any year unless a detailed bird nest survey by a suitably experienced ecologist has been carried out immediately prior to clearance and that appropriate measures in place to protect nesting bird interests on site. Written confirmation of such shall be submitted to the Local Planning Authority.

Reason: In the interests of the visual amenity of the area and amenities of local residents.

9. Prior to the first occupation of any of the approved dwellings, a remediation methodology shall be submitted to and approved in writing by the Local Planning Authority, the remediation

measures completed and a validation report submitted to and approved in writing by the Local Planning Authority.

Reason: To properly address any land contamination issues, to ensure the site is suitable for the proposed end-use. The submitted Ground Investigation Report, dated June 2021, has indicated some ground contamination that requires attention. The report recommends remedial action by installation of a 600mm/450mm cover layer of clean soils in rear/front & side gardens/ open spaces.

10. The approved development shall be undertaken in strict accordance with the submitted Arboricultural Impact Assessment, dated April 2021, unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the trees proposed for retention are adequately protected during construction work.

11. The approved development shall be carried out in strict accordance with the submitted Drainage Strategy Report, ref. C-0968, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the proper drainage of the site.