

**Item 3**                    **10/00418/FULMAJ**

**Case Officer**            **Liz Beard**

**Ward**                      **Clayton-le-Woods North**

**Proposal**                **6Resubmission of planning application 10/00047/FULMAJ for 11 No dwellings & infrastructure to land adjacent to 605 Preston Road including amendments/plot substitution to previously approved layout for planning application 08/00203/FUL**

**Location**                **Land Representing Phase 3 And Clayton Green Business Centre Preston Road Clayton-Le-Woods**

**Applicant**                **Wainholmes Developments Ltd**

**Consultation expiry: 7 July 2010**

**Application expiry: 3 September 2010**

### **Proposal**

1. The application is a resubmission of planning application 10/00047/FULMAJ for 11 dwellings and associated infrastructure on land adjacent to 605 Preston Road, and amendments/plot substitution to the previously approved layout for planning application 08/00203/FUL.
2. The site is a flat site covering 0.6 acres and is adjacent to 605 Preston Road and is a vacant and overgrown. The site is contained in the New Towns Masterplan and was highlighted for a phase of office development.
3. The proposal is for 11 new houses and 1 no plot substitution. The plot substitution is Plot 36, which has changed from the Eton to the Oxford house type which is a 2 storey detached four bedroomed property.
4. The 11 new houses will be accessed from the existing access from Preston Road, into the adjacent housing site that has been developed by Wainhomes, and a further cul-de-sac will be taken off the existing road. There will be five houses located along the front of the site, along Preston Road, where there will be four three 2.5 storey houses and one two storey house.
5. The remaining 6 no houses are situated to the rear of the properties that are fronting onto Preston Road. There is a 2 bedroomed property, which is located at the end of the cul-de-sac and looks down the new road. There will be three garages located on the ground floor of this property with the living accommodation over the first floor. In the corner there is a L-shaped building which accommodates 2 no two bedroom properties. The rest of the plots comprise of 3 no. four bedroomed houses, one 2.5 storeys and the other two storeys. Car parking is provided within the curtilage of these properties.

### **Recommendation**

6. It is recommended that this application is granted conditional outline planning approval subject to the associated Section 106 Agreement

### **Main Issues**

7. The main issues for consideration in respect of this planning application are:
  - Principle of Development
  - Design and Appearance
  - Mix of Housing
  - Impact on Amenity of Future and Existing Occupiers
  - Highways and Parking

## **Representations**

8. No letters of objection have been received
9. Clayton-le-woods Parish Council object on the grounds of increased traffic, over-development of the site and the effect on neighbouring properties.

## **Consultations**

10. Lancashire County Council (Highways); no comments have been provided.
11. Chorley's Waste & Contaminated Land Officer comments as provided for application 10/00047/FULMAJ; further investigation required specific to the pond area and the proposed development upon and adjacent to it. Potential risk associated with the infilling the pond and introducing future site receptors (buildings and occupants) to this area. In particular refer to the possible presence of organic material that could give rise to ground gas generation, and subsequent migration. Clarification required of proposed works for this area. The applicant should note that any imported material should be subject to validation testing to confirm that it is suitable for use.
12. Lancashire County Council (Planning Contributions) have suggested a contribution towards waste management through a S106 agreement.

## **Assessment**

### Principle of Development

13. The principle of development was considered in a previously approved scheme on this site ref.09/00750/FUL (Committee 10 November 2009), which was for 7 dwellings and the substitution of one plot.
14. The site is allocated for office use and is within the Clayton Green District Centre. This was established as part of the New Town Masterplan, which included an office park with community and shopping facilities surrounded by residential development. The application site has remained an undeveloped part of the business park despite being covered by an extant planning permission and a redesigned office scheme approved in July 2007.
15. The site has been marketed from 2005 and the agents conclude that there is an oversupply of available B1 office accommodation within the Clayton Green site. This includes 22,000 sq ft. The Clayton Green District Centre is not unique in this situation as the Ackhurst Business Park similarly has vacant office space and is a much larger allocation. With the proposed office development at Buckshaw yet to come on stream it is considered that Clayton Green offices do not have sufficient critical mass to make them an attractive location for firms to occupy given the size of unit available.
16. A marketing appraisal of the site was obtained for application 09/00750/FUL. A locally based Chartered Surveyor carried out the exercise, independently, and concluded that there is no realistic likelihood of the site being developed within a 5 year period and possibly longer.
17. On balance it is considered that the loss of the site for office development and developing it for residential development is acceptable. Ideally the allocation of the site should be reviewed as part of the LDF process. It would be difficult to refuse on this basis as this is a small site and firms looking for office space in the Borough are more likely to chose to locate on other sites, which were identified in the marketing appraisal.
18. The area is a mixed use area, with the adjacent site already been developed by Wainhomes for housing, a large residential care home to the north of this and to the west and south there is a mix of residential development and business park development, and a residential estate and church opposite The development of this site will not detract from the character of the area. The site is therefore considered appropriate for residential development.

### Design and Appearance

19. The proposal is for 11 new houses and 1 no plot substitution, which is Plot 36, which has changed from the Eton to the Oxford house type. These are both 2 storey detached four bedroomed properties. This amended house type is an acceptable substitution.
20. The 11 new houses will be accessed from the existing access from Preston Road, into the adjoining site that has been developed by Wainhomes, and a further cul-de-sac will be taken off the existing road. This site will then be a continuation of the adjacent site. There will be five houses located along the front of the site, along Preston Road, where there will be four three 2.5 storey houses and one two storey house. They are all detached and four bedroomed properties, and house types that have been used elsewhere in the adjoining scheme.
21. The remaining 6 no houses are situated to the rear of the properties fronting onto Preston Road. There is a 2 bedroomed property, which is located at the end of the cul-de-sac where there will be three garages located on the ground floor of this property with the living accommodation over the first floor. In the corner there is a L-shaped building which accommodates 2 no two bedroom properties. This arrangement reflects that already used on Plot 15 and 16 on the adjacent site. The rest of the plots are three four bedroomed houses, one 2.5 storeys and the other two storeys.
22. The designs are house types that have already been used on the adjacent site, and the materials will be the same. The layout is considered appropriate with ten garages also being provided, along with off-street car parking. The proposal is therefore acceptable in design terms.

### Mix and Type of Housing

33. The housing shown is a range of two, three and four bedroom properties, with car parking provided. The mix of housing is considered appropriate and therefore complies with Planning Policy Guidance (PPG) Note 3 Housing.

### Impact on Amenity of Future and Existing Occupiers

34. The houses all comply with the privacy distances as set out within the Council's Design Supplementary Planning Guidance and the garden areas are all at least 10m long. There will not be any harm to the amenity of the existing occupiers or the future occupiers, and therefore the proposal is acceptable in amenity terms.

### Highways and Parking

35. The access into this site is to be taken off the existing cul-de-sac into the adjacent site which, has previously been developed by Wainhomes.
36. There is car parking provided by way of garages and driveways, which complies with the appropriate standards. Therefore there are no objections in terms of highways safety and parking.

### Section 106 Agreement

37. The applicants have agreed to enter into a legal agreement for the provision of off-site playspace/open space. A figure of £14,597 is to be included within the Section 106 agreement.

### **Overall Conclusion**

38. The local plan allocation is quite specific for this site in that it should be developed for office purposes and form part of a district centre. However, it would seem that the original New Town concept of a small office park is not being supported by the market. The planning strategy, to secure major development at Buckshaw, which is supported by the Local Planning Authority, has contributed to this. It is not considered that the release of this small site will undermine the district centre or reduce the potential for more office development. It will ensure that this site fronting onto Preston Road will be developed, and fill in and tidy up the frontage.

## **Other Matters**

### Sustainability

39 The applicant has provided a report on sustainable resources as part of the planning application. It is suggested that a condition is added requesting full details in relation to the predicted energy use.

### Waste Collection and Storage

40. There are bin/recycling store and household composting area locations shown to the rear of the properties. The plan that has been provided also shows appropriate bin/recycling store collection points around the cul-de-sac which are located off the footway and off the road within the curtilage of the houses.

### Planning Policies

National Planning Policies:

PPS1 and the Climate Change Supplement, PPS3, PPS4 and PPG13.

North West Regional Spatial Strategy

RS has been revoked from 6 July 2010. However the evidence base is still a material planning consideration.

Adopted Chorley Borough Local Plan Review

Policies: GN1, HS4, EM6, and SP6

### 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

### Planning History

07/00469/FULMAJ Erection of 1 no. two storey office building. Approved July 2007.

08/00203/FULMAJ Development of 24 no. residential dwellings, including the demolition of existing property. Approved with conditions October 2008.

08/00974/DIS Application to discharge conditions relating to 08/00203/FULMAJ. All conditions were discharged October 2008.

09/00042/FUL Amendments to previously approved layout (08/00203/FULMAJ) and erection of 7 no. detached houses including infrastructure. Refused February 2009.

09/00150/FUL Amendment to previously approved layout (08/00203/FULMAJ) and erection of 7 no. detached houses including infrastructure. Refused August 2009.

09/00750/FUL Resubmission of application 09/00150/FUL amendment to previously approved layout (08/00203/FULMAJ). Approved with conditions November 2009.

### **Recommendation:**

**(Subject to Legal Agreement)**

**Permit**

### **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. No development shall take place until full details have been submitted of the predicted energy use of the development expressed in terms of carbon emissions and a schedule setting out how energy efficiency is being addressed, including benchmark data. It will show on-site measures to be installed and implemented so as to produce a minimum of 10% or locally set targets (which ever is the higher) of the predicted energy use of the development by means of low carbon energy sources. Appropriate on-site measures include rainwater/brown water recycling. No development shall commence until the scheme has been approved in writing by the Local Planning Authority. Such details as may be approved shall be implemented and retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

*Reason: To ensure the proper planning of the area, in line with the objective of National Planning Policy contained in Planning Policy Statement: Planning the Climate Change Supplement to PPS1 and Chorley Borough Council's Adopted Sustainable Resources DPD.*

3. 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 this permission or unless otherwise first agreed in writing by the Local Planning Authority.

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

4. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings (notwithstanding any details shown on the 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 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 HS4, of the Adopted Chorley Borough Local Plan Review.*

5. The approved plans are:

Plan Ref.	Received On:	Title:
AL-005aRevC	26 May 2010	Site Layout
AL-100	26 May 2010	Proposed Streetscenes
OS-01	26 May 2010	Location Plan
C5199/01	26 May 2010	C1 2 Bed House Type

#### House Types

4.207/P/B/L Rev A	26 May 2010	Scott
3.118/P/B/L	26 May 2010	Claydon
4.209/P/B/L	26 May 2010	Jenner
Dunham 107 (D1)	26 May 2010	Dunham
4.204/P/B/L	26 May 2010	Nightingale
4.309/P/B/L	26 May 2010	Oxford
AD(10)01	26 May 2010	1.8m High Fence
SD-01	26 May 2010	Screen Wall/Fence 1.8m
SF/3	26 May 2010	0.9m Post & Two Rail Fence
GA-01	26 May 2010	Single Garages-Plans & Elevations

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

6. 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.*

7. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. This should focus in particular on the pond area. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on site, the scope of a further study must then be agreed in writing with the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall thereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

*Reason:- In the interests of safety and in accordance with the guidance set out in PPS23: Planning and Pollution Control 2004.*

8. Prior to the commencement of the development, full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

*Reason: To ensure the satisfactory management of the private driveway, resident's parking spaces and refuse storage/collection at the site and in accordance with TR4 of the Adopted Chorley Borough Local Plan Review.*

9. 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.*

10. 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.*

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