

Item 4c **11/00934/REMAJ**

Case Officer **Mr Adrian Morgan**

Ward **Astley And Buckshaw**

Proposal **Erection of 53 dwellings including associated roads and footpaths at Parcel F, Buckshaw Village**

Location **Parcel F3 Central Avenue Buckshaw Village Lancashire**

Applicant **Barratt Homes Manchester**

Consultation expiry: **21 December 2011**

Application expiry: **19 January 2012**

Proposal

1. This application is a reserved matters application for Parcel F for the construction of 53 no. dwellings together with associated works.

Recommendation

2. It is recommended that the application is approved and planning permission granted subject to conditions.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - a. Principle of the proposal
 - b. Design, layout and scale
 - c. Access and parking
 - d. Impact on neighbour amenity

Representations

4. 36 representations containing objections or expressing concerns have been received, including one from Councillor Perks.

One representation in support has been received

The supportive representation welcomed the provision of additional affordable housing.

Councillor Perks' concerns relate to the levels of traffic that would be generated on Bryning Way and Sharrock Street, roads that he considers to be too narrow for the additional volume of traffic. He is of the opinion that other parts of the village have suffered problems due to similar designs, with road safety, larger vehicle access, double parking and on street parking issues. He considers that this experience should be taken account of in this case. Councillor Perks also considers that the junction of Sharrock Street and Buckshaw Avenue could become an accident black-spot as the road is narrow and has a pedestrian crossing near to it.

Councillor Perks suggests that the whole site be served by one road connecting to Main Street, with the two separate sections of road running through the development being joined to form one and the two access points to Sharrock Street and Holland House Way being removed from the scheme, including any pedestrian access.

Councillor Perks also requests that landscaping is provided to provide privacy between the existing properties and the proposed new ones.

The various objections received expressed concerns relating to the following issues: -

- Inadequate consultation has been undertaken; both on this application and on the decision to remove the road link to the east that was included in the Masterplan for the area
- The site should not be developed at all and should be left as green space.
- That 53 homes was too many for the site.

- That the proposed development would make the area feel claustrophobic and congested.
- Gardens and windows would be overlooked from the new homes.
- That the new homes would be too close to existing properties.
- That the new road would be used as a rat-run between the community centre, school, hub, medical centre and Rowland development.
- Too much additional traffic would be generated on adjoining roads, thereby compromising road safety.
- Access to and from the proposed development would be poor due to poorly designed roads and inadequate access points.
- Insufficient car parking would be provided on the site and car parking would cause problems on adjoining roads.
- The design of the new development is poor and not fitting with the existing developments.
- Vacant ground would be left between proposed and existing homes.
- There should be no more than 10% social housing.
- Rented housing should not be sited in an owner occupied housing area.
- The proposed affordable / social / rented housing would: -
 - be too concentrated and should be more mixed with market housing;
 - generate anti-social behaviour and crime;
 - be too close to the school, thereby giving residents an advantage when seeking school places;
 - would cause problems in terms of school capacity as residents would be likely to have children;
 - would have a negative effect on the area and on home values.

Consultations

5. Environment Agency – No objection subject to a remediation strategy being agreed should any previously unidentified contamination being found on the site.

The Coal Authority - Standard Advice

Assessment

The site

6. The parcel is bounded by Main Street to the north, the community centre site to the east, and residential development to the south (Bryning Way) and west (Holland House Way). It is relatively flat.

Principle of the development

7. The principle of housing on this site has already been established by the original outline permissions for the whole of Buckshaw Village (granted in 1999 and modified in 2002). This application relates to reserved matters only.

Design & layout

8. Policy GN2 of the Local Plan applies to the former Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village. The site is identified as a village street area in the Masterplan approved under the outline permission and the Buckshaw Village Design Code. The Design Code states that the village street area will be characterised by 2 to 3 storey blocks, principally terraces with other buildings sandwiched and attached, at a density of 40 – 50 units per hectare. Roads to have a 20mph design speed and generally courtyard type parking with archway access. The proposed homes would be built at a density of 44 units per hectare and it is considered that the proposals accord with Policy GN2.
9. Policy GN5 covers building design and states that developments should be well related to their surroundings with landscaping integrated into the scheme. The appearance, layout and spacing of new buildings should respect the distinctiveness of the area. As stated previously the proposals are considered to be in line with the Buckshaw Village Design Code.

Access and Parking

10. Policy TR4 of the Local Plan outlines the highway development control criteria.
11. The two vehicular access points have been designed into the scheme to aid permeability. Both Miller Homes and Roland Homes left roads to these points for the expressed purpose of continuing the road

through. Following consultations with Lancashire County Council, links through to the East West link road to the north were omitted to avoid rat running.

12. The original Masterplan included a through road linking Parcel F to the school, across the green corridor. When, however, the primary school application was considered (09/00180/FULMAJ) it was concluded that vehicular traffic crossing the pedestrian/cycle route in the green corridor would not be appropriate in terms of safety. As such the road was redesigned to create a turning head with only pedestrian/ cycle access to the Green Corridor. The Highway Engineer at Lancashire County Council did not object to the Masterplan being modified. This application was considered at Development Control Committee in May 2009 before there were residents on Sharrock Street and Bryning Way to formally consult although the existing neighbours to the site were consulted on the application.
13. In respect of the parking requirements the original layout detailed 1.5 parking spaces per property in accordance with the Design Code, however, as the Council now requires more parking per property the parking has been increased in accordance with the current requirements.
14. Subject to conditions, the layout, access and parking are therefore considered acceptable in accordance with Policy TR4 and the Manual for Streets.

Neighbour Amenity

15. The parcel bounds directly with other homes to the west and south only and the position of the proposed properties complies with the Council's interface distances.
16. No vacant land will be left between the new development and adjoining properties. The revised plans have included a landscaped buffer to the rear of the gardens of the houses at the south-western corner of the site.

Affordable Housing

17. The 20 affordable rent properties proposed as part of this application are not related to the original S106 Agreement associated with Buckshaw Village. The original S106 Agreement required affordable housing provision at a level far below the Council's current policy requirement of 20%. Barratt Homes, in connection with Progress Housing, have successfully applied to the Homes and Community Agency (HCA) for funding to erect additional affordable units at Buckshaw Village.

Grouping of affordable units

18. Although ideally the affordable and market units would be inter-mixed, in this case the proposed 20 affordable units are sited together for the following reasons: -
19. The HCA has imposed strict deadlines for the funding which, it is understood, require the units to be completed by June 2012. In order to meet this deadline, the units will have to be constructed prior to the remainder of the scheme, requiring that they be grouped together.
20. The affordable units will be built to meet Level 3 standard of the Code for Sustainable Homes. As Level 3 requires a different build specification and different access requirements to the market units, which will not be built to Level 3 standards due to viability constraints, it will not possible to mix the units together.
21. The HCA require units of a certain size and that none of their plots use communal car parks, constraints which again require the funded units to be grouped within the development.
22. Progress Housing prefers their units to be grouped together as it allows for more efficient management.
23. Affordable Housing is a Corporate Priority and the need for affordable housing is reflected in the Council's present policy requirements and the even higher requirements set down in the Central Lancashire Publication Core Strategy.

Other Issues raised by objectors

Housing tenure

24. National planning policy requires that new developments offer a good mix of tenures in order to contribute to the creation of sustainable mixed communities. Planning Policy Statement 3 (PPS3)

requires that Local Planning Authorities should ensure that the mix of housing on large strategic sites, such as Buckshaw Village, reflects the proportions of households that require market or affordable housing and achieves a mix of households as well as a mix of tenure and price. The mix of housing should contribute to the creation of mixed communities having regard to the proportions of households that require market or affordable housing and the existing mix of housing in the locality.

25. The affordable housing requirements applied to the original planning permission for Buckshaw Village were far below the Council's present affordable housing policy requirements. The Council's present policy seeks a minimum of 20% affordable housing on such developments. The Council's draft Core Strategy, which is based on the latest evidence of local housing requirements, seeks 30%. The proposed additional affordable units will, therefore, contribute to addressing the shortfall of affordable housing, relative to present policy requirements, that presently exists at Buckshaw Village.
26. Objections have raised concerns about rented homes being situated in a predominantly owner-occupied area, but whether market housing is owner-occupied or private rented is not a material planning consideration. In addition, private rented properties do not meet the criteria to be considered to be affordable homes.

School enrolment

27. Enrolment at the Buckshaw Village school will be unaffected by the proposal. Outline planning permission for the housing development across Buckshaw Village, including the site in question, was granted in 1999 and the school has been planned specifically to accommodate sufficient pupils from the area.

Crime and anti-social behaviour

28. The design of the proposed development satisfies the requirements of Policy HS4(e) of the Local Plan that requires that account has been taken of design measures which help prevent crime and promote community safety and public health initiatives.

Home values

29. The effect that new developments may have on the values of existing homes is not a material planning consideration.

Other Matters

Public Consultation

30. All consultations were undertaken in accordance with the relevant legislation. The following residents were initially consulted: -
 - Hillcrest Vet Clinic, Buckshaw Community Centre,
 - 1 to 7 New Inn Close, Buckshaw Village,
 - 1 New Inn Close, Buckshaw Village,
 - 21 Holland House Way, Buckshaw Village,
 - 8 Robinson Close, Buckshaw Village,
 - 45 & 47 Bryning Way, Buckshaw Village,
 - 136 & 138 Main Street, Buckshaw Village,
 - 22, 24, 26 & 28 Holland House Way, Buckshaw Village,
 - 16, 18, 20 & 22 Roby Avenue, Buckshaw Village,
 - 18 to 22 Darwen Fold Close, Buckshaw Village,
 - 9 Roby Avenue, Buckshaw Village,
 - 23 to 27 Darwen Fold Close, Buckshaw Village,
 - Buckshaw Community Centre, Unity Place,
 - 36 & 38 Bryning Way, Buckshaw Village,
 - 57 & 59 Main Street, Buckshaw Village,
 - 130, 132, 134, 140 Main Street, Buckshaw Village,
31. Residents were originally consulted on 2 November and given 21 days to comment however the letters went out with the incorrect application reference and as such the residents were re-consulted, and again given 21 days to comment, on 23 November.

32. Additionally two site notices were erected on 8 November and there have been 2 notices in The Guardian on 9 and 30 November.
33. Following the receipt of amended plans the residents initially consulted and contributors were re-consulted on 8th December.

Overall Conclusion

34. The principle of developing the site for housing has already been approved and the details of the proposal are considered to comply with the Buckshaw Village masterplan which requires a density of housing on the site such as that proposed. The principle of whether the site is suitable for housing development, and whether the number of units proposed is appropriate, are, therefore, matters that have previously been approved.
35. The application is considered acceptable in relation to policies GN2, GN5, HS4 and TR4 of the Local Plan subject to conditions.
36. The revised plans have incorporated changes intended to address some of the issues raised by objectors to the proposal, for example, a landscaped buffer has been added at the south western edge of the site and car parking provision has been increased.
37. A key issue concerning many objectors has been the provision of the proposed affordable housing on the site. As previously indicated, the level of affordable housing agreed at the time of the original outline planning permission for Buckshaw Village was far below the levels required by the Council's present policy standards. This proposal represents an opportunity to rectify some of the current shortfall in affordable housing at Buckshaw Village relative to current standards.
38. Affordable Housing is a Corporate Priority and the need for affordable housing is reflected in the Council's present policy requirements and the even higher requirements set down in the Central Lancashire Publication Core Strategy.
39. Affordable housing provision is only a material planning consideration to the extent that minimum policy requirements have to be met. The tenure of housing is not, in itself, a material planning consideration and minimum policy requirements can be exceed. As the proposed provision of affordable housing units on Parcel F would be in excess of the requirements applied at the time of the original outline planning permission being granted, this provision is not, in itself, material to the consideration of this application.
40. Due to the funding available from the HCA, these affordable homes would also be constructed to a higher standard (Level 3 standard of the Code for Sustainable Homes) than will be viable for the market homes on the site. For the funding requirements to be met and these higher standards to be accomplished, the proposed site layout is necessary.
41. For the funding from the HCA to be obtained, and therefore, for the affordable units needed to support the Council's Corporate Priority objective to be achieved, it is necessary that the affordable homes element of the proposal is completed by June this year, requiring the development of this part of the scheme to be commenced without delay.

Planning Policies

National Policies

PPS3, PPG13, PPS23

Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5, HS4, TR4.

Planning History

97/509/OUT: Outline application for mixed use development (granted in 1999)

02/748/OUT: Modification of conditions on outline permission for mixed use development (granted December 2002)

**Recommendation: Approve Reserved Matters
Conditions**

1. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:

Drawing Number:	Date:	Title:
424/P/PL01 Rev C	7/12/11	Planning Layout
424/P/ML01 Rev C	7/12/11	Materials Layout
424/P/BT01 Rev C	7/12/11	Boundary Treatments Layout
424/P/RS01 Rev C	7/12/11	Refuse Strategy Layout
424/ED/03 -	7/12/11	Engineering Layout
424/HT/HEL/C/01 Rev A	7/12/11	Helmsley House Type (Terraced Option)
424/HT/HEL/C/02 Rev A	7/12/11	Helmsley House Type (Semi Option)
424/HT/ALY/C/01 -	7/12/11	Alysham House Type
424/P/SS01 Rev A	7/12/11	Proposed Street Scenes AA, BB, & CC
293/ED/11/03 Rev E	7/12/11	Finished Floor Levels

Design and Access Statement Rev A
(Including materials and existing site photographs). 7/12/11
Reason: For the avoidance of doubt and in the interests of proper planning.
2. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.
Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.
3. 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. The railings used on the development shall be the 'Buckshaw Village railings' as used on other parcels on Buckshaw Village.
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. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.
Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.
5. 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 Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.
6. During the development, if contamination which has not previously been identified, is found to be present at the site no further development shall be carried out until a Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with. The development shall then only be carried out in accordance with the Method Statement.
Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with PPS23.
7. Before the properties hereby permitted are first occupied, the car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.

Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

8. The integral garages hereby permitted shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended).

Reason: To ensure the properties have sufficient off street parking and in order to safeguard the residential amenity and character of the area and protect highway safety in accordance with Policies HS4 and TR4 of the Adopted Chorley Borough Local Plan Review

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

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.