

Item 4c **11/01024/REMMAJ**

Case Officer **Nicola Hopkins**

Ward **Adlington & Anderton**

Proposal **Reserved matters application for the erection of 67 dwellings and a Park and Ride Car Park**

Location **Grove Farm Railway Road Adlington ChorleyPR6 9RF**

Applicant **Bellway Homes**

Consultation expiry: **23 January 2012**

Application expiry: **21 February 2012**

Proposal

1. This application is a reserved matters application for the erection of 67 dwellings and a Park and Ride Car Park at Grove Farm, Adlington.
2. Outline planning permission was granted, via appeal, at the site in June 2011. The outline approval reserved all matters save for access and this application seeks approval for the details of the site.

Recommendation

3. It is recommended that this application is granted conditional reserved matters planning approval.

Main Issues

4. The main issues for consideration in respect of this planning application are:
 - Background information
 - Principle of the development
 - Housing Development
 - Density
 - Levels
 - Impact on the neighbours
 - Design
 - Open Space
 - Trees and Landscape
 - Ecology
 - Traffic and Transport
 - Contamination
 - Drainage and Sewers
 - Crime and Safety

Representations

5. 7 letters of objection have been received raising the following points:
 - Increase in traffic on Railway Road and impact on highway safety- the proposed junction would be unsafe due to poor visibility over the railway bridge.
 - Impact on wildlife- there are 4 deer on the land.
 - Previous applications have been denied no reason to grant permission now
 - Loss of mature trees
 - Park and Ride will put increased pressure on a train service
 - No requirements for 55 car parking spaces
 - Loss of privacy, reduced views and increased noise
 - Increase in crime
 - Proposed housing out of keeping with the character of the area

- Environmental impact of the development
- Impact on local services
- Will result in further unsold/ empty homes in a stagnant property market
- The only real beneficiary seems to be Bellway Homes.
- Road and pedestrian safety
- The existing watercourse and culvert may be affected by this development
- Too much development- no need for further houses
- The status of the outline application states “Refusal of Full Planning Permission” and the application claims that outline permission was granted on 10th June 2010 which was part way through the consultation period.
- Loss of light- 2 storey property close to garden boundaries
- The properties on Mayfield Avenue do not have lengthy gardens.

6. **Adlington Town Council** have made the following comments:

- The layout, design and construction of the residential development took into consideration the planning inspectors findings.
- Request that the issue of whether the garage on plot 4 is situated over a main sewer
- The access onto Railway Road could be problematic
- Request that planning permission is withheld pending confirmation that:
 - a. The car park is built to adoptable standards
 - b. That a fuel interceptor is fitted
 - c. CCTV cameras are provided
 - d. Procedures and funding for future maintenance are addressed
 - e. Lighting standards are fitted
 - f. Confirmation that the car park will be adopted- understand LCC are not willing to adopt
- Confirmation whether the provision of this car park would upgrade the status of Adlington to a Parkway Station and whether this would mean the provision of train services on par with Buckshaw, Horwich etc.
- Request that adequate drainage provision is built and agreed with United Utilities.

7. **Adlington and District Community Association** have made the following comments:

- The location of the proposed garage is directly over the main sewerage drain from the Community Centre and the cottages in Railway Road.
- To prevent the Community Nursery outside play area being put in permanent shade we ask that the proposed bushes are not permitted to grow higher than the existing fence.

Consultations

8. **Chorley’s Housing Strategy Manager** has commented on the affordable housing elements of the scheme.
9. **The Environment Agency** have no objection subject to surface water drainage from the proposed car park passing through an oil interceptor
10. **The Architectural Design and Crime Reduction Advisor** has commented on the application which is addressed below
11. **Network Rail** have commented on the proposals.
12. **Director of People and Places** has no comments to make
13. **United Utilities** have commented on the associated discharge of condition application
14. **Lancashire County Council (Highways)** originally objected to the application.

Assessment

Background Information

15. The site is a large area of predominantly open land which covers 2 hectares within the

settlement boundary of Adlington. There are currently two dwellings on the site, although only one is occupied.

16. After assessing the history of the site it is clear that there has been a dwelling on the site for over 50 years. When the owner of this property decided to move away from farming and move into business planning permission was granted for the erection of a bungalow on the site. It was intended for the land owner to occupy the bungalow and utilise the existing farmhouse for storage. Both of these buildings are still in situ with the bungalow still occupied. In 1977 planning permission was granted to A & F Suppliers for a storage shed on the site. A & F Suppliers occupied the farmhouse and various storage sheds/ buildings on the site for a number of years and the presence of this business on the site is still evident. A & F Suppliers business was expanded metal & wire goods manufacturers and it is understood from Council Tax that this business ceased being on site in March 2008.
17. Outline planning permission was applied for in 2009 (10/00439/OUTMAJ), all matters reserved save for access, for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station. The Council refused the application for the following reason:
 - The site is allocated under Policy EM1.2 for B1 (business uses, comprising offices (B1a), research and development (B1b) and light industry (B1c)). The proposal is for housing (C3) which does not fall within the allocated uses for this site and as such is contrary to Policy EM1 (Saved) of the Chorley Local Plan Review. 2) Policy EM9 is also of relevance as part of the site has previously been used for employment purposes where it states that the redevelopment of a site for employment use will be encouraged. It is for the applicant to demonstrate that there is no realistic prospect of an employment re-use of the land or premises for redevelopment for an employment use would be economic viable. The applicant has failed to demonstrate this as specified in Policy EM9 and the accompanying Supplementary Planning Guidance Document Proof of Marketing: Policy EM9.
18. The applicants appealed this decision and the Inspector allowed the appeal on 10th June 2011. As such the principle of developing the site for residential purposes has been established.

Principle of the development

19. This application will be determined in accordance with the development plan, unless material considerations indicate otherwise (s.38 (6) Planning and Compulsory Purchase Act (2004)).
20. The Development Plan for Chorley currently consists of the Adopted Chorley Borough Local Plan Review, the North West Regional Spatial Strategy (RSS) and the Sustainable Resources DPD. On 6th July 2010 the Secretary of State for the Department of Communities and Local Government revoked Regional Strategies, including the Regional Spatial Strategy for North West England (RSS). However, on 10th November 2010 the decision to revoke the RSS was found unlawful at the High Court.
21. It is however likely that Regional Strategies will be scrapped as part of the Government's proposed Localism Bill. Therefore at the present time the RSS remains part of the Development Plan although the intention to scrap the RSS is a material planning consideration.
22. The Council's Core Strategy, which has been produced jointly with South Ribble and Preston, was examined at EIP in June 2011. This examination is due to reopen in March 2012. The Policies within this Core Strategy are a material consideration as part of this application although the weight attached to them as a whole is limited.
23. As this site has the benefit of extant outline planning permission the principle of developing the site has been established. This reserved matters application is therefore purely addressing the specific details of the proposed scheme.

Housing Development

24. The outline planning approval for this site identified that the site could accommodate up to 75 dwellings although siting was reserved. This reserved matters applications incorporates the erection of 67 dwellinghouses which is within the range considered appropriate for this site.
25. The proposals incorporate the erection of 33 four bedroom dwellings, 29 three bedroom dwellings and 5 two bedroom dwellings. All the proposed dwellings are two storey although the 'Fairhaven Special' house type (plots 18 and 19) has a ridge height which reflects a 3 storey property however these properties are located within a central location within the site and not along the site boundaries and are an appropriate design solution positioned at the end of the access road.

Affordable Housing

26. When outline planning permission was granted for this site the associated S106 Agreement included an obligation towards affordable housing. The submitted scheme incorporates 5 discounted/ low cost dwellings (plots 48-50 and 38/39) and 8 socially rented dwellings (plots 40-47).
27. The Council's Housing Strategy Manager has assessed the scheme and confirmed in terms of mix we are looking for the following:
 - Social rent: 5 x 2 bed houses
3 x 3 bed houses
 - Intermediate (discounted sale): 5 x 3 bed housesThe submitted proposals are in accordance with this split and as such are acceptable.
28. The Housing Manager considers that the location of the affordable homes is acceptable and confirmed that they should be transferred to an Affordable Housing Provider who is a member of the Select Move choice based lettings scheme and who has a management presence in the area, e.g. CCH/Adactus and New Progress.
29. These issues are secured within the S106 Agreement for the site.

Density

30. The site covers 2 hectares and the erection of 67 dwellings equates to approximately 33 dwellings per hectare which is considered to be appropriate for this urban location.

Levels

31. The site is reasonably flat with a gradual 3 metre fall north to south across the site. Condition 6 of the outline planning approval required full details of the building slab levels and this has been submitted as part of discharge of condition application 11/01025/DIS. The dwellings at the northern boundary of the site have a maximum finished floor level of 103.450 whereas the dwelling at the southern most corner of the site has a finished floor level of 99.700 which accommodates the land level fall across the site.
32. Internally within the site the variation in finished floor levels can be achieved whilst protecting the amenities of the future residents. The relationship with the existing adjacent residents is addressed below.

Impact on the neighbours

33. The immediate residential neighbours to the site are the two storey terraced properties along Railway Road adjacent to the site entrance, the two storey semi-detached properties and detached bungalow along Mayfield Avenue (to the east of the site), the bungalows along Abbey Grove (in the south east corner of the site) and the Conservative Club on Railway Road adjacent to the proposed Park and Ride facility. Adlington Community Centre is also adjacent to the application site.
34. There are properties on Meadow Street and Railway View to the west of the site however these are on the opposite side of the railway lines and will not be directly affected by the proposed development.

35. There is an existing mature tree belt along the boundary of the site with Railway Road which will be partly retained and replanted to compensate for the tree removal required to secure the approved vehicular access. Currently the access to the site is immediately adjacent to 14 Railway Road, this will be relocated further along Railway Road. The boundary of the site with 14 Railway Road will consist mainly of landscaping. The proposed double garage associated with plot 1 will be located to the south west of the boundary with 14 Railway Road however this will not impact on the neighbours amenities.
36. The properties on Mayfield Avenue have long back gardens with the nearest property being 38.5 metres from the site boundary. As such it is not considered that the proposed dwellings will adversely impact on the neighbours amenities when viewed from the dwellinghouses. Each proposed dwelling which backs onto this boundary retains a minimum 10 metres from first floor windows to ensure that the properties do not create overlooking to the existing neighbours private garden areas. Plot 13's side elevation is immediately adjacent to the boundary with 16/18 Mayfield Avenue and has a first floor side window. This window however serves a bathroom and will be obscurely glazed, as such this will not result in loss of privacy to the detriment of the neighbours amenities.
37. 32 Mayfield Avenue is a detached bungalow which is 48 metres from the application site boundary. The occupiers have raised concerns that there will be a Fairhaven Special house type (plot 16) at the end of their garden due to the fact that the ridge height reflects a 3 storey property. This property however will not be the Special house type and will be the standard Fairhaven house type. It is considered that the distance retained between the proposed and existing dwellings ensures that there will be no loss of amenity to the existing or future residents.
38. 42 and 55 Abbey Grove are bungalows immediately adjacent to the south east boundary of the application site. Due to the proximity of these dwellings to the boundary this is considered to be the most sensitive location of the application site. To demonstrate the relationship of the proposed dwellings and these existing dwellings the streetscenes submitted in support of this application incorporate these properties.
39. The proposed detached dwelling on plot 32 is approximately 5.5 metres from the side elevation of 55 Abbey Grove. There are two windows proposed in the side elevation of plot 32 which serve a bathroom and landing and as such will be obscurely glazed ensuring that they do not impact on the amenities of the existing residents. From a levels perspective the finished floor levels of the existing and proposed properties are similar with 55 Abbey Grove at a slightly higher level. As such there will be no loss of amenity through level differences.
40. Number 55 has 2 ground floor windows in the side elevation which serve the garage and kitchen although this is not the only source of light into this kitchen. As such it is not considered that the erection of a 2 storey dwelling 5.5 metres from the existing property will adversely impact on the neighbours amenities.
41. Plots 29 and 30 back onto the boundary with 42 Abbey Grove. These properties are a minimum 16 metres from the side elevation of 42 Abbey Grove and retain over 10 metres from the first floor windows to the boundary in accordance with the Council's spacing standards. From a levels perspective the finished floor levels of the existing and proposed properties are similar and as such there will be no loss of amenity through level differences.
42. There is a bedroom window and dining room window in the side elevation of 42 Abbey Grove. 18 metres is retained between the rear of plot 30 and the dining room window and 19.5 metres is retained between the rear of plot 29 and the bedroom window. As these windows are at ground floor level and the proposals incorporate the retention of the existing boundary treatment in this location it is not considered that there will be any loss of privacy created between the proposed and existing ground floor windows.
43. Plot 16s side elevation is approximately 2.5 metres from the garden boundary with 42 Abbey Grove however there are no windows proposed in the side elevation ensuring that there will be no loss of privacy to the existing residents.

44. The Conservative Club is located to the west of the approved site entrance. The proposed Park and Ride facility will be located along the eastern boundary of this property and the properties on plots 63-67 will face the southern boundary of this property, where the Bowling Green is sited. As this is not a residential property and the dwellings are sited over 10 metres from the boundary there is not considered to be any loss of amenity within this part of the site.
45. Adlington Community Centre is located adjacent to the site boundary. Plots 5 and 6 border the building and plot 1 borders the external space associated with this building, used by the children's nursery which operates from this site. Concerns have been raised by Adlington and District Community Association and the Town Council in respect of the location of a main sewerage drain and the proposed landscaping. Bellway Homes have investigated the sewer issue and have confirmed that they cannot find anything that points to either the existence of an existing sewer in this area or anything relating to any rights of drainage. Further clarification has been sought from the Community Association.
46. In respect of the proposed landscaping 2 Hazel, 1 Apple, 2 Ash and 2 Silver Birch trees are proposed to be planted along this boundary at a height of between 300-425cm. These trees will be located within the boundary of plots 1 and 5 and future maintenance responsibilities will be with the future occupiers. A query has been sent to Bellway Homes querying whether the height of these trees can be restricted via covenant on the houses.

Design

47. From a design perspective the proposed properties incorporate modern two storey residential development. The palette of materials includes red bricks and grey roof tiles which is considered to be appropriate within Adlington.
48. The scheme incorporates the erection of two storey dwellings. It is noted that there is a mixture of dwellings types and styles within the area including older terraced properties, more modern semi-detached dwellings and bungalows. Having assessed the relationship of the proposed dwellings and the neighbouring dwellings two storey properties can be accommodated on the site whilst protecting the neighbours' amenities and will introduce a modern development within Adlington reflecting the progression of the Town.

Trees and Landscape

49. The trees at the boundary of the site with Railway Road are protected by TPO 7 (Adlington) 2006. This TPO is a group TPO which includes Ash, Willow, Sycamore, Oak, Elm and Hawthorn Trees. The approved access and required access roads will result in the removal of quite a few of these trees.
50. Conditions 9 and 10 of the outline approval required full details of the trees to be felled/retained, details of the protective measures for the retained trees and details of the replacement planting. Bellway Homes formally applied to discharge these conditions (11/01025/DIS). The Council's Arboricultural Officer considered the submitted details were sufficient to discharge these conditions.
51. Of the 276 trees identified on the site 193 are identified for removal of which 60 are protected by TPO 7 (Adlington) 2006. The replacement tree planting forms part of the submitted Arboricultural Method Statement (submitted as part of application 11/01025/DIS) and includes planting 86 individual trees and 300 trees within mixed groups.
52. The landscaping scheme includes planting within the southern corner of the site to replace fruit trees removed from the centre of the site. Two areas of native planting are proposed to the right of the vehicular entrance and around the edge of the southern corner of the site.
53. Although the scheme results in the loss of a significant number of trees the trees with the greatest amenity value have been protected by the TPO. Where these will be felled as a result of the scheme the replacement planting, which exceeds the number of trees currently on site, is considered to be suitable mitigation for the loss.

Ecology

54. The ecological impacts of the development were addressed at outline stage. The main impacts of the development were considered to be impacts on bats, habitat loss, impacts on breeding birds and the potential spread of Japanese Knotweed. However the Ecologist was satisfied that the issues could be adequately addressed via condition.
55. Conditions 14-17 deal with the impacts and require a scheme for the eradication of Japanese Knotweed, the submission of a habitat creation and management plan, mitigation measures in respect of protected species and a requirement for site clearance works to be outside the bird breeding season.
56. The applicants, Bellway Homes, formally applied to discharge conditions 14-16 as part of application 11/01025/DIS. The submitted information was forwarded to the Ecologist at Lancashire County Council who has confirmed that the conditions in respect of Japanese Knotweed and habitat creation can be discharged.
57. Following a high court decision (R (on the application of Simon Woolley) v Cheshire East Borough Council, June 2009) the Local Planning Authority have a legal duty to determine whether the three 'derogation tests' of the Habitats Directive implemented by the Conservation (Natural Habitats &c.) Regulations 1994 have been met when determining whether to grant planning permission for a development which could harm a European Protected Species. The three tests include:
 - (a) the activity must be for imperative reasons of overriding public interest or for public health and safety;
 - (b) there must be no satisfactory alternative and
 - (c) favourable conservation status of the species must be maintained.
58. This requirement does not negate the need for a Licence from Natural England in respect of Protected Species and the Local Planning Authority are required to engage with the Directive.
59. At outline stage section 5.5 of the submitted ecology report included mitigation proposals (for impacts on bats/bat roosts) which addressed the third licensing test (favourable conservation status) set out in the Habitats Regulations 2010.
60. In this case demolition (and bat mitigation) will need to be carried out under Natural England licence. However, it is not clear whether or not the licence has as yet been applied for, or whether the proposed mitigation does include any amendments required by Natural England.
61. The mitigation measures in respect of protected species was deemed adequate at the outline stage to demonstrate that the requirements of legislation could be addressed and as such it is not considered that the proposals will adversely impact on protected species and as such the 3 derogation tests have been satisfied.

Park and Ride Facility

62. Approximately half the site is allocated under Policy TR13 of the Adopted Local Plan for Park and Ride Facility associated with Adlington Train Station. The proposed scheme incorporates a 55 space Park and Ride Facility.
63. Although the proposed car park does not accord with the allocated land within the Local Plan, the proposed land take is significantly smaller than the land take allocation within the Local Plan, LCC are satisfied with the proposed extent of the car park which will be sufficient for Adlington Train Station.
64. Adlington is served by 1 train an hour in each direction (xx07 towards Manchester and xx56 towards Preston) for most of the day, with additional trains at peak times.
65. Condition 11 of the outline planning approval required full details of the Park and Ride Facility and required, prior to the commencement of the construction of any of the dwellings, the

park-and-ride facility to be constructed in accordance to base course level for use as a temporary site compound and, prior to the commencement of the construction more than 26 of the dwellings, the park-and ride facility shall be completed. Full details were submitted as part of the discharge of condition application, Lancashire County Council consider that the information is sufficient.

66. Adlington Town Council have queried the specific details of the Park and Ride elements of the proposals. In response the car park will be constructed out of bitmac which is used on the proposed roads, Bellway have confirmed that an oil/ petrol interceptor will be incorporated into the design which can be addressed by condition. In respect of lighting the submitted car park plan details low level bollard lighting within the car park. In respect of CCTV further details are requested from Bellway Homes.
67. The S106 Agreement associated with the outline planning approval included the Park and Ride provision and requires the developers to transfer the freehold to the Council prior to occupation of the 26th Housing Unit in the Development. There are no provisions for future maintenance within the Agreement. During the outline application it was suggested that the developers provide LCC with a commuted sum for the County Council build the car park. This suggestion was rejected by LCC so it was agreed that the developer would bear the expense of building the car park and then pass it onto the Council.
68. Network Rail have been consulted on the proposals and in particular the queries raised by Adlington Town Council. They have confirmed *In relation to the questions asked, I think Network Rail would take an impartial view at this stage and both questions should be aimed at the current Station Facility Owner, Northern Rail who would lead on increasing the provision of train services and also I suspect in whether a station justified 'parkway' status.*
69. Northern Rail has been consulted in this regard and confirmed that the size of the proposed car park would need to be a comparable size to Buckshaw to upgrade the station, the car park at Buckshaw has 200 spaces and as such this car park is not a comparable size. In terms of the train service provision Northern Rail have confirmed that there would need to be a significant rise in footfall to warrant an increase however this is something they would give consideration to.

Traffic and Transport

70. The outline planning application reserved all matters save for access and as such the vehicular access junction off Railway Road has been approved and is not under consideration as part of this application. The internal road layout however was not approved at outline stage and the Highway Engineer comments relate to this element of the scheme.
71. The Highway Engineer at Lancashire County Council originally considered that the proposed layout was unacceptable from a highway viewpoint. He raised several concerns in respect of footway provision, dropped kerbs and access for refuse collection/ emergency vehicles. These concerns were passed onto the agent for the application. The Highway Engineer also confirmed that the access drives proposed to serve a number of dwellings (plots 1-4, 5-9, 11-14, 16-17, 28-29, 31-33, 54-57 & 63-67) will not be suitable for adoption and will remain in private ownership.
72. Following receipt of the concerns raised the plans were amended to introduce footways and central bin collection areas. These amended plans were forwarded to the highway engineer who still had concerns in respect of vehicle/ pedestrian conflict and manoeuvring space within the unadopted parts of the site.
73. To address these concerns an amended parking layout plan has been submitted. This has been forwarded to the Highway Engineer and his comments will be reported on the addendum.
74. The site to the south of the application site is incorporated with the Council's Preferred Option DPD for future site allocations. Although it has not yet been determined whether this site will be developed in the future the scheme incorporates a highway up to the site boundary in this

location to serve any future development if necessary.

75. In respect of parking the scheme includes a mixture of 2 and 3 bedroom dwellings which require 2 off road parking spaces and 4 bedroom dwellings which require 3 off road parking spaces. The application is supported by a parking layout which demonstrates that all of the 3 and 4 bedroom properties incorporate sufficient parking space. However the 5 two bedroom properties proposed accommodate 1.5 spaces per dwelling. This provision follows comments received from the highway engineer and to break up the car parking spaces by introducing landscaped strips between bays, reducing the impact of the car parking on the street scene. All of the two bedroom properties are the rented affordable dwellings where car ownership is generally low. To achieve a suitable scheme in terms of design in this situation 1.5 spaces for 5 of the proposed two bedroom dwellings is considered to be acceptable.

Contamination

76. Contamination was dealt with at outline stage and condition 12 of the outline approval required the submission of a site investigation. The applicants have submitted a Field Investigation Report as part of application 11/01025/DIS. The Council's Waste and Contaminated Land Officer has reviewed this document and confirmed that he has no objection to the development proceeding provided the remediation and risk management measures as detailed in section 14 of the report are followed and completed.
77. As such from a contamination perspective suitable remediation can be accommodated on the site.

Drainage and Flooding

78. Consideration of the drainage and flood risk at the site was considered at outline stage and condition 13, requiring surface water and foul water drainage schemes, deals with this element of the scheme. As part of application 11/01025/DIS the engineering layout along with a SUDs assessment have been submitted. This has been assessed by the Environment Agency and United Utilities.
79. United Utilities have confirmed that SUDS are not appropriate on this site due to the confirmed ground condition. United Utilities have previously agreed discharge rates which have been adhered to within the submitted drainage design. United Utilities have confirmed that, based on the information provided, condition 13 can be discharged.
80. The Environment Agency have confirmed that they have no objection to the proposed discharge of Condition 13 given that surface water discharges to the public sewer at an attenuated rate to cater for the 1 in 100 year plus climate change storm event and would prevent flows leaving the development site in accordance with PPS25.
81. As such it is considered that drainage has been dealt with adequately.

Crime and Safety

82. The proposals have been assessed by the Council's Architectural Liaison Officer who has made the following comments. There have been a number of recorded crimes in the area including theft from vehicles and burglary. Due to recorded crime in the area and the potential for increased criminal activity in respect of the proposed car park it is recommended that the site is developed to Secure by Design Standards.
83. Additionally it is recommended that Safer Parking Standards are adopted along with secure boundary treatment and access control arrangements including formal surveillance in terms of CCTV.
84. In respect of the housing parking should be sited to encourage natural surveillance. One vehicular access point is supported and the fencing details are considered to be acceptable. Pitched roof porch covering are advised for the Larch housetype and balconies should be located away from potential climbing aids.

Section 106 Agreement

85. The Section 106 Agreement for this site was agreed and competed at outline stage. As this is a reserved matters application which directly relates to the outline the obligations within this agreement will be borne by Bellway Homes.

Overall Conclusion

86. The principle of erecting up to 75 dwellings on this site was established when the Appeal Inspector allowed the appeal. The erection of 67 dwellings and a Park and Ride Facility accords with the outline approval and as set out above the details are considered to be acceptable. As such the application is recommended for approval.

Other Matters

Sustainability

87. Condition 8 of the outline planning approval required all of the dwellings to be built to the relevant Code for Sustainable Home level which is currently level 3. As part of the associated discharge of condition application a CSH Pre-Assessment has been submitted which shows that the design will achieve Code Level 3. However this condition cannot be formally discharged until the dwellings are completed and the final code certificate has been submitted to the Council. This will be reflected within the condition.
88. It is noted that Policy SR1 also requires a 15% reduction in carbon emissions through the use of renewable energy however as this issue was not considered necessary by the Inspector at the public inquiry this requirement cannot be introduced now.

Response to the neighbours concerns

89. As set out above a few of the neighbours have objected to the proposals. In response to their concerns:
90. Increase in traffic/ Road and pedestrian safety- the principle of developing the site for up to 75 dwellings has already been established and the traffic issues fully considered
91. Impact on wildlife and Environmental impact of the development- the ecological implications of the scheme were addressed at outline stage.
92. Previous applications have been denied no reason to grant permission now- the outline approval was granted by the Planning Inspector
93. Loss of mature trees- this issue was addressed at outline stage and adequate mitigation measures are incorporated into the detailed design
94. Park and Ride- this element is included in accordance with the Local Plan allocation.
95. Loss of privacy, loss of light, reduced views and increased noise- these concerns have been fully assessed as part of the impact on the neighbours' assessment above.
96. Increase in crime- the Council's Architectural Liaison Officer has been consulted on the scheme and these comments are addressed above.
97. Proposed housing out of keeping with the character of the area- this is addressed above.
98. Impact on local services- this issue was addressed at outline stage.
99. Will result in further unsold/ empty homes in a stagnant property market/ no need for further houses - this is not a material planning consideration.
100. The only real beneficiary seems to be Bellway Homes- this is not a material planning consideration.
101. The existing watercourse and culvert may be affected by this development- the Environment Agency were consulted at outline and reserved matters stage and have raised no objection.

102. The status of the outline application states “Refusal of Full Planning Permission” and the application claims that outline permission was granted on 10th June 2010 which was part way through the consultation period- the application was refused by the Council but allowed by the Appeal Inspector. A note explaining this has been made publically available on the website. The inclusion of 10th June 2010 within the submitted documentation was an error as the appeal was actually allowed on 10th June 2011.
103. The properties on Mayfield Avenue do not have lengthy gardens- this issue is addressed above.

Planning Policies

National Planning Policies:

PPS1, PPS3, PPS9, PPS22, PPS23, PPS25, PPG4, (draft PPS4), PPG17

Circular 05/2005 Planning Obligations

Circular 01/2006 (Communities and Local Government): Guidance on Changes to the Development Control System

North West Regional Spatial Strategy:

Policy DP1, Policy DP2, Policy DP3, Policy DP4, Policy DP5, Policy DP6, Policy DP7, Policy DP9, Policy RDF1, Policy W3, Policy W4, Policy L4, Policy L5, Policy RT9, Policy EM5, Policy EM15, Policy EM16, Policy EM17.

Adopted Chorley Borough Local Plan Review

Policies:

GN1: Settlement Policy- Main Settlements

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP4: Species Protection

EP9: Trees and Woodland

EP17: Water Resources and Quality

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

HS6: Housing Windfall Sites

EM1: Employment Land Allocations

EM9: Redevelopment of Existing Employment Sites for Non-Employment Uses

HS21: Playing Space Requirements

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

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

Joint Core Strategy

Policy 1- Locating Growth

Policy 7- Affordable Housing

Policy 17- Design of New Buildings

Policy 22- Biodiversity and Geodiversity

Policy 27- Sustainable Resources and New Developments

Chorley Site Allocations & Development Management Policies – Preferred Option, September

2011

HS1.27- Grove Farm, Railway Road

Planning History

5/2/90- Additions and alterations to cottage. Approved August 1953

5/2/426- Proposed Bungalow. Approved August 1966

9/77/357- Storage Shed for Steel Materials. Approved July 1977

00/00467/MAS- Siting of 15m lattice tower. Prior approval not required

02/00323/OUT- Outline application for one detached house and garage. Withdrawn

09/00721/OUTMAJ- Outline application for residential redevelopment (for at least 75 dwellings) and a 'park and ride' parking area for Adlington Railway Station. Withdrawn

10/00439/OUTMAJ- Application for outline planning permission (access only) for the erection of up to 75 dwellings and a park and ride parking area for Adlington Railway Station. Refused, Appeal allowed

11/01025/DIS- Application to discharge conditions 6, 7, 8, 9, 10, 11, 12, 13, 14, 15 and 16 attached to outline planning approval 10/00439/OUTMAJ. Pending consideration

Recommendation: Approve Reserved Matters Conditions

1. **All windows in the ground and first floor of the building's north-east elevation (plots 13 and 32) shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter.**
Reason: In the interests of the privacy of occupiers of neighbouring property and in accordance with Policy Nos. GN5, HS4 and HS9 of the Adopted Chorley Borough Local Plan Review.
2. **Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained.**
Reason: To prevent pollution of the water environment and in accordance with Policy Nos. EP17, EP18, EM2 and EM3 of the Adopted Chorley Borough Local Plan Review.
3. **The proposed development must be begun not later than two years from the date of this permission or not later than five years from the date of the outline planning permission (reference 10/00439/OUTMAJ)**
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.
4. **The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans (submitted as part of discharge of condition application 11/01025/DIS).**
Reason: To protect the appearance of the locality and in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
5. **The external facing materials detailed on the approved plans shall be used.**
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.

6. 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 be carried out in accordance with the submitted Code for Sustainable Homes Pre-Assessment dated 16th November 2011 (submitted as part of discharge of condition application 11/01025/DIS). No dwelling shall be occupied until a final Code Certificate has been issued for it certifying that the required Code for Sustainable Home Level for each dwelling has been achieved.
Reason: To ensure the development is in accordance with Government advice contained in Planning Policy Statement: Planning and Climate Change - Supplement to Planning Policy Statement 1 and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.
8. 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.
9. The replacement tree planting shall be carried out in accordance with the approved details within nine months of the tree felling (details submitted as part of discharge of condition application 11/01025/DIS).
Reason: To safeguard the visual amenity of the area and in accordance with Policy Nos.EP9 of the Adopted Chorley Borough Local Plan Review.
10. Prior to the commencement of the construction of any of the dwellings hereby permitted the new access to the site from Railway Road shall be constructed in accordance with the approved plans.
Prior to the commencement of the construction of any of the dwellings hereby permitted the park-and-ride facility shall be constructed in accordance with the approved plans to base course level for use as a temporary site compound.
Prior to the commencement of the construction of any more than 26 of the dwellings hereby approved the park-and ride facility shall be completed in accordance with the approved details, made available for use as a park-and-ride facility and retained thereafter for that purpose.
Reason: in the interests of highway safety and the proper development of the site. In accordance with Policies TR4 and TR13 of the Adopted Chorley Borough Local Plan Review.
11. The development hereby permitted shall be completed in accordance with the remediation and risk management measures detailed in section 14 of the Field Investigation Report for Grove Farm, Adlington, dated July 2011 (Report No. 11BEL013/GI- submitted as part of discharge of condition application 11/01025/DIS). Following the completion of the works a validation report, to confirm the placement of the 600mm clean cover system in all garden and landscaped area, to confirm the suitability of imported soil material and to provide the results of the additional leachate testing, shall be submitted to and approved in writing by the Local Planning Authority.
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 Government advice contained in PPS23: Planning and Pollution Control.

12. The development hereby permitted shall be completed in accordance with the approved surface water and foul water drainage schemes (submitted as part of discharge of condition application 11/01025/DIS).

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy Nos. EP18 and EP19 of the Adopted Chorley Borough Local Plan Review.

13. The development hereby permitted shall be completed in accordance with the submitted Method Statement (undertaken by Pinnacle dated November 2011) in respect of the eradication of Japanese Knotweed (submitted as part of application 11/01025/DIS).

Reason: To ensure the eradication of Japanese Knotweed in accordance with the Wildlife and Countryside Act 1981 (as amended).

14. The development hereby permitted shall be completed in accordance with the Habitat Creation and Management Plan (Pinnacle dated November 2011- submitted as part of application 11/01025/DIS) and the Ecologists comments in this regard.

Reason: To protect/conservate the habitat/amenity value of this site in accordance with Government advice contained in PPS9

15. No development shall take place until a scheme to safeguard the interests of protected species, based on the mitigation measures set out within the ERAP Ltd. *Ecological Survey and Assessment (Revised report June 2010)* and incorporating any requirements of the licensing body, Natural England, has been submitted to and approved in writing by the local planning authority. The scheme shall include an implementation programme and shall be carried out as approved.

Reason: To protect/conservate the habitat/amenity value of this site in accordance with Government advice contained in PPS9

16. Site clearance works, including tree felling, vegetation clearance, demolition and other works that may affect nesting birds shall not be undertaken between March and August inclusive.

Reason: To ensure the continued protection of nesting birds as part of the development. In accordance with Policy EP4 of the Adopted Chorley Borough Local Plan Review and The Conservation of Habitats and Species Regulations 2010

17. The approved plans are:

Plan Ref.	Received On:	Title:
TDD/001 Rev C5	17 January 2012	Engineering Layout
LDS204-01A	13 January 2012	Planting Plan 1 of 2
LDS204-02A	13 January 2012	Planting Plan 2 of 2
3PI073	12 January 2012	Pilkington House Type
BHWL091/01 Rev N	12 January 2012	Planning Layout
BHWL091/01 Rev A	12 January 2012	Street Scenes
BHWL091/03 Rev A	12 January 2012	Hard Surfacing Layout
BHWL091/05	12 January 2012	Parking Layout
BHWL091/04	12 January 2012	Fencing Layout
BH/NW/SL/DG/01 Rev A	12 January 2012	Double Garage
BH/NW/SL/DG/04	12 January 2012	Double Garage
BH/NW/SL/DG/05	12 January 2012	Double Garage
BH/NW/SL/SG/01 Rev A	12 January 2012	Single Garage
BH/NW/SL/SG/04	12 January 2012	Single Garage
BH/NW/SL/SG/05	12 January 2012	Single Garage
BH/NW/gf/BR/01 Rev A	12 January 2012	Bat Roost Building
TDD/011 Rev C2	21 November 2011	Park and Ride Car Park Layout
4LA129	21 November 2011	Larch House Type
4KE133	21 November 2011	Keats House Type

4KE131	21 November 2011	Keats House Type
4LA129	21 November 2011	Larch House Type
4FA124	21 November 2011	Fairhaven House Type
4FA124	21 November 2011	Fairhaven Special House Type
3WE103	21 November 2011	Weston House Type
3RU081	21 November 2011	Rufford House Type
3LA094	21 November 2011	Lansdown House Type
3CH073	21 November 2011	Chatsworth House Type
2ST062	21 November 2011	Studley House Type
LDS204-03	21 November 2011	Tree Pit Detail
101 Rev P1	24 January 2012	Drainage Layout

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

18. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwellings on plots 1, 6, 7, 10, 11, 12, 13, 14, 15, 16, 19, 20, 21, 22, 27, 28, 29, 30, 31, 56, 57, 58, 59, 60, 61 and 67 hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).
Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.