

Item 4g **11/01105/REM**

Case Officer **Caron Taylor**

Ward **Clayton-le-Woods and Whittle-le-Woods**

Proposal **Reserved matters application for the erection of 8no. detached two-storey dwellings and associated works (pursuant to outline permissions 97/00509/OUT and 02/00748/OUTMAJ)**

Location **Land opposite junction of Regiment Drive and Old Worden Avenue (Parcel Q) Old Worden Avenue Buckshaw Village Lancashire**

Applicant **Redrow Homes Lancashire**

Consultation expiry: **16 February 2012**

Application expiry: **17 February 2012**

Proposal

1. Reserved matters application for the erection of 8no. detached two-storey dwellings and associated works (pursuant to outline permissions 97/00509/OUT and 02/00748/OUTMAJ).

Recommendation

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

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Density
 - Levels and Impact on the neighbours
 - Design
 - Impact on Listed Building
 - Open Space
 - Trees and Landscape
 - Traffic and Transport
 - Contamination and Coal Mines
 - Drainage and Sewers

Representations

4. Four letters of objection have been received on the following grounds:
5. The parcel of land seems to be the only part of Buckshaw currently remaining house free lest it resemble a concrete jungle. Redrow had represented this piece of land to be earmarked for building a symbolic structure to represent Buckshaw community like a duck pond/benches etc. to keep the village feel but guess their profit margins take precedence to preserving the ambience of the village. They feel permitting Redrow to make yet more houses is going to give a serious blow to the general ambience and also a loss to the community as there is a basket ball court near that parcel of land and they are sure that the area should be left to be used by the community and residents to maintain the ambience and local beauty.
6. This parcel of land was to be used as a landmark site for public amenity rather than residential use. The proposal is not part of the Buckshaw Masterplan. Loss of open space will be detrimental to the character of the village. This area acts as a soak away for water drainage. During heavy rains Old Worden Ave adjacent to this parcel of land is completely

covered in running water and remains so for several days afterwards. They assume there is not enough natural drainage to cope. In winter this can freeze over to a sheet of ice. Loss of the public footpath will cause pedestrians and cyclists to unnecessarily cross a busy road. The traffic island will cause dangerous driving due to loss of visibility where the road bends and the inevitable parked vehicles on the road. Loss of parking. Their property will be unduly overlooked. Documents appear to be missing concerning the level of build elevation. If built at a level higher than the pavement, this will mean that they will be overlooked to a greater extent.

7. When purchasing their property they were informed that the site would be for a landmark for the community. This proposal does not seem in accord with the commitment given then. There are already parking issues on Regiment Drive resulting in on street parking, which the traffic island would impinge upon with no alternative overflow area. Additional concerns regarding the elevation of the development and therefore being unduly overlooked. Detrimental change to the character of the area and loss of open space.
8. They have been living in this village for the past 3 years. They were told this piece of land will be used to construct a land mark structure which can be used by the local residents. Building houses is a serious risk to the environment. This is the only piece of land in Buckshaw without any houses. Causes serious threat by increasing the traffic on a road which is already a busy one. It's a beautiful open space, which can be used to construct a structure to enhance the beauty of the existing locality.
9. A levels plan of the proposed properties was requested by the case officer and neighbours renotified. The following comments were received from one neighbour:
10. They strongly object to the level of these houses being 2 metres higher than their row of houses. This will mean that they will tower over them, and they will be overlooked from their ground and first floor into our bedrooms. This will exacerbate the already problematic drainage and fear this will increase the volume of water flowing across the road. They are also concerned with flooding to my property as there is no drainage channel/ditch on this stretch of road, meaning we are reliant on soak away which is being replaced by residential property. There does not appear to be any addition provision for drainage channels.
11. All other areas around the village have large green spaces for both functional and ambience adding character. Buckshaw is now turning into a concrete jungle with little thought for the environment and the social wellbeing that green spaces provide.
12. Whittle-le-Woods Parish Council
State there are no Parish Council objections as such, but would like clarification regarding the 74.4m hedge/trees/shrubs to the North of the proposed development. What is this? How tall? It was felt that landscaping and planting in this area to screen Dawson Lane from this new development would be desirable. The case officer has responded to this query explaining that 74.4m is a spot height of the land, to which not further comments have been received.

Consultations

13. **The Environment Agency**
Have no comments to make on the application.
14. **The Police Architectural Design and Crime Reduction Advisor**
The area has low crime levels and they do not have any design recommendations to make in terms of the plans.
15. **Chorley's Conservation Officer**
See body of report.
16. **Lancashire County Council Highways**
Ask for clarification on whether the pedestrian refuse islands are to be built in Old Worden Avenue. They also state the two access points will be required to be formed using

appropriately sized radius kerbing with normal upstand and the footpath to the west of the site that crosses the access road will require a mobility crossing point on either side.

17. The footpath to the east of the eastern access point is shown as terminating 25m east of the access. This access needs to be continued through and across the access point, to link up with the westerly footway to ensure there is pedestrian continuity along the site frontage.
18. From an accessibility and servicing highway view point as the two access drives are not shown as being linked (separated by a grassed area) with no turning facility for large vehicles, this is likely to lead to either servicing arrangements being carried out from the main road which will impact on the road safety and operation of the main road or alternatively require servicing vehicles to reverse part way into the access drives which will again have road safety and operational implications on the main road. In terms of the reversing distances involved they would exceed the recommended distances for emergency and refuse collection vehicles therefore this again would not be acceptable. Without vehicle turning facilities the proposed access arrangements are not going to prove satisfactory.
19. A solution in ensuring that the properties can be suitable services is by linking the two access drives to form a continuous access road with the two access points designed to current road standards (i.e. 5.5m wide for a minimum of 10m then the access road may be reduced to 4.5m wide). The new access road will serve 8no properties and should be built to adoptable standards.
20. From a highway view point the proposed access road/drive layout does not offer safe and acceptable form of servicing arrangements however if the applicant is willing to submit an amended plan addressing these above highway concerns then they will reconsider the proposal.
21. See highways section of this report.

Applicant's Case

22. The proposed house types reflect those on Sandy Lane (the development adjacent to this) along with the same materials and garden boundaries of Redrow's Heritage Range. The orientation of the buildings have been arranged to align with the established road and housing surrounding the majority of the site. The scale, height and massing of the proposal will sit comfortably with the surrounding site.
23. Redrow also respond to the neighbour objections as follows:
24. It has never been envisaged that the 'Landmark' building on this site would be for community use. From the outset the Mater Plan has identified the location of such buildings and Redrow have never advised purchasers of any community building on this parcel of land.
25. They accept that the parcel may have been identified as being able to support construction of a 'landmark' building however as has been the case across Buckshaw, a landmark building has always taken the form of a large scale building, housing large numbers of apartments. They feel the development as now proposed is more sympathetic to the immediate surroundings of low density, low rise, but the current economic climate means that apartments are virtually un-saleable. The amount of completed but un-sold apartments on their Cedar Walk development demonstrates this very clearly. Other uses such as an apartment block and community facilities, would attract more vehicles.
26. The application site has always been identified as a development parcel in the Masterplan and therefore there will be no loss of open space. In terms of overlooking the separation distances between existing and proposed dwellings varies between 50m and 60m from front of dwelling to front of dwelling. They do not feel this will create unacceptable relationships and is obviously well in excess of the Council's standards. A larger scale 'landmark' building will be far more dominant on the streetscene and in their view have a more detrimental impact on neighbouring properties.

Assessment

Principle of the development

27. The whole of Buckshaw Village was given permission for a mixed use development by outline permissions 97/00509/OUT and 02/00748/OUTMAJ.
28. As part of the permission a Residential Design Code was drawn up to guide the design and implementation of the residential areas of the Village. The application parcel is and always has been identified as a housing parcel on the Land Use Plan for the Village, therefore housing on this site is acceptable in principle. It has never been envisaged or allocated as an area of open space. The site is allocated for a landmark building and this is discussed at paragraph 31 of this report.

Density

29. The proposal is equivalent to 16 dwellings per hectare. This is lower than the other contemporary housing parcels, however this parcel is on the far extremity of the Village and will be the development within the site nearest to Dawson Lane, and it is also in the Green Belt. It is considered appropriate to taper off the density of development towards the edge of the site as has been done on the Group 4 North parcel (now known as Sandy Lane). The low density is also due to the large set back of the properties from the road which is needed to ensure it reflects the character of the properties opposite. The density is therefore considered appropriate to the location of the site.

Levels and Impact on the neighbours

30. The proposed properties will be elevated in relation to the existing properties opposite by between 1.5m and 2.45m as the land rises towards Dawson Lane. The Council's normal interface distance of 21m between facing properties therefore need to be increased to account for this. The distance between the properties exceeds the extended interface distance by a minimum of 11m. The levels between the proposed properties within the site also meet the Council's interface distances. The relationship between the existing and proposed properties is therefore considered acceptable.

Design

31. The main issue with the proposal is the design of the proposed parcel. The Residential Design Code shows this housing parcel to have landmark buildings on it. Other examples of landmark buildings shown as such in the Masterplan that are already developed in the Village are the crescent of apartments at Bishopton Crescent near the primary school and the apartments currently under construction at the junction of Buckshaw Avenue and Central Avenue, so landmark buildings in the Village tend to have taken the form of tall apartment developments. However, as the Village has developed not all the areas marked as landmark buildings have been built as such. For example, the position of the Health Centre is different and there is not therefore a landmark building on the corner of what is now the school field.
32. If the site was to be developed as a landmark building it is likely to take the form of prominent and tall properties and/or apartments. Although the Council would have liked to see it developed as such, it is accepted that since the original Masterplan was drawn up the economic climate is very different and apartments are not selling at the current time.
33. The Design Code states that *'with such a large project i.e. one that will be developed over a period of 15 to 20 years, it is inevitable that guidance and practice will change. It is neither possible nor desirable to design everything on day one.'*
34. The Masterplan has been used to broadly guide the land use and design of buildings in the Village, however it has not been slavishly applied as the Village as developed, nor was it ever intended to be.
35. The properties now proposed, rather than act as a landmark, reflect those built to the north on part of the site now known as Sandy Lane (Group 4 North). They also reflect the properties opposite the site which are detached traditional properties.
36. Therefore although the proposal does not comply with the Masterplan in terms of being a

landmark building, given the current economic climate and the impact on apartment sales, the current proposal is considered acceptable in design terms, using an approach that reflects the surrounding existing properties rather than contrasting with them.

Impact on Listed Building

37. The Council's Conservation Officer advises that:
'The application site is relatively close (approx. 61 metres from the closest part of the proposed site boundary) to Jones Farm, which is a designated heritage asset as defined by Annex 2 to PPS5 specifically a grade II listed building. Consequently this application is being judged with specific reference to policy HE10 of PPS5, development that affects the setting of a designated heritage asset. Whilst the distance between the application site boundary to the boundary of the curtilage to the listed building is only c. 34 metres, the distance to the building itself is, as has already been stated, c. 61 metres. The nature of the topography is such that the listed building is set at an elevated position relative to the application site.
38. 'Jones' Farm, the designated heritage asset, as with the whole of the application site and a significant area to the south of it were formerly part of the Royal Ordnance Factory (ROF). Chorley site first developed immediately prior to the Second World War and now part of the on going Buckshaw Village redevelopment project. During the period in which the ROF was active Jones' Farm together with other former farm houses within the site were effectively incarcerated behind security fencing and saw limited use before being abandoned and left to deteriorate almost to the point of complete dereliction.
39. 'Any rural setting that this and the other buildings would have originally enjoyed was effectively eliminated by the construction of the ROF. However that does not mean that any sense of separation between the designated heritage asset and its new neighbours should be compromised to such an extent that the significance of that asset becomes compromised unacceptably.
40. 'The principal elevation to Jones' Farm is to the front, i.e. north facing and furthest away from the proposed development. Sight lines from this aspect toward the proposed development are further separated by a change in levels – i.e. the proposed development will be set at a lower level – a close boarded timber fence and a recently planted hedge. Further proposed boundary treatments to the development will reinforce the sense of separation'.
41. The Conservation Officer considers that due to the current setting of the designated heritage asset, the separation distance between this and the proposed development, plus the difference in levels between the two sites that the significance of the designated heritage asset will be sustained and he considers the application to be acceptable.
42. The proposal is therefore considered to comply with PPS5 and is acceptable in this respect.

Open Space

43. The proposal will not result in the loss of open space as it has never been proposed as such and has always been shown as housing on the Land Use Plan. Open space has been planned comprehensively throughout the Village.

Trees and Landscape

44. The site has been remediated as part of the wider site and is the proposal will not impact unacceptably on trees or ecology. The proposed properties would be set back from the road and grassed, this is considered acceptable and would reflect the properties opposite also set back from the road.

Traffic and Transport

45. Two access points are proposed to the site, both leading from Old Worden Avenue, each one providing a shared private access to four dwellings.
46. LCC Highways have objected to the current layout of the proposal, however they have advised of a potential solution to the problem of linking the two driveways to provide a continuous road in front of the properties and this has been put to the applicant. The

applicant is producing an amended plan and whether this overcomes the highway objection or not will be detailed on the addendum.

47. It is not considered the properties will block visibility along Worden Avenue as they are set significantly back from the road (in the centre of the site they are set back by 24m). The traffic islands are outside the red edge of the application site and therefore do not form part of this application, but LCC Highways have commented on the acceptability of the scheme in relation to them.
48. It is not considered the proposal will lead to on road parking as the proposed properties will have sufficient parking spaces for their size.

Contamination and Coal Mines

49. The site has been remediated as part of the wider Village but a precautionary condition will be applied in case any unsuspected contamination is found. The site is not in a coal area.

Drainage and Sewers

50. A Sustainable Urban Drainage System has been implemented for Buckshaw Village which took account of this parcel in its design. A condition regarding site specific drainage for this application is proposed. The proposal is therefore considered acceptable in this respect.
51. The application site doesn't benefit from drainage at the present time and the proposal will implement a proper scheme for this land. The proposal is therefore considered acceptable in this respect.

Waste Collection and Storage

52. The properties all have rear access to allow bin storage in the rear gardens.

Overall Conclusion

53. The site is allocated for housing development in the Residential Design Code and development of the site is acceptable in principle. The site is shown as having a landmark building on it however for the reasons above the proposal is considered acceptable for this site.
54. LCC Highways have objected to the scheme but suggested a solution to the concerns they have. The applicant is producing an amended plan and this will be detailed on the addendum. Subject to this being satisfactory the proposal is considered acceptable and the application is recommended for approval.

Planning Policies

National Planning Policies:

PPS3, PPS5, PPS9, PPS13.

Adopted Chorley Borough Local Plan Review

Policies: GN2, HS4,

Buckshaw Village Residential Design Code

Planning History

97/00509/OUT: Outline application for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities & rail station) & indication of junction improvements on surrounding road network. Permitted.

02/00748/OUTMAJ: Modification of conditions on outline permission for mixed use development (housing, employment, shopping, leisure & commercial uses, open spaces, roads, sewers, community facilities, road improvements & rail station). Permitted.

**Recommendation: Permit Full Planning Permission
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. The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on plan ref: BV-Q-11-02-001.
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.
3. The external facing materials detailed on approved plan ref: BV-Q-11-02-003 shall be used and no others substituted.
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.
4. No dwelling shall be occupied until all fences and walls shown in the approved details on plan refs: BV-Q-11-02-003 (Boundary Treatment Plan) and plan refs: D-SD0910, D-SD0806, D-SD0812 and BVED-01 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.
5. The development hereby permitted shall not commence until full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on 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 in conformity with the approved details.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 of the Adopted Chorley Borough Local Plan Review.
6. The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing Number:	Date:	Title:
BV-Q-11-02-001	1 February 2012	Site Layout 1a (approves levels only)
D-SD0906	23 December 2011	Close Boarded Fencing
D-SD0806	23 December 2011	Free Standing Brick Walls
D-SD0812	23 December 2011	Screen Wall/Fencing
BVED-01	23 December 2011	Various Details
Floor Plans & Elevations	23 December 2011	The Cambridge D Series Brick
Floor Plans & Elevations	23 December 2011	The Cambridge D Series Render
Elevations	23 December 2011	The Winchester D Series Render
Elevations	23 December 2011	The Winchester D Series Brick
Floor Plans	23 December 2011	The Winchester D Series
Elevations	23 December 2011	The Canterbury D Series Brick
Floor Plans	23 December 2011	The Canterbury D Series
Floor Plans & Elevations	23 December 2011	The Salisbury D Series Brick
Floor Plans & Elevations	23 December 2011	The Salisbury D Series Render
BV-Q-11-02-003	23 December 2011	Boundary Treatment Plan (approves materials and boundary treatments only)

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

7. Before the development hereby permitted is first occupied, the car parking and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plans. 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. If during development contamination not previously identified is found to be present then no further development should take place until the developer has submitted to and had approved in writing by the Local Planning Authority a remediation strategy detailing how this unsuspected contamination shall be dealt with. The development shall then only be carried out in accordance with the approved strategy.

Reason: To ensure any contamination on the site is dealt with appropriately and in accordance with PPS23.

9. 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 No. EP17 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 Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.

11. No development shall take place until details of the proposed surface water drainage arrangements have been submitted to and approved by the Local Planning Authority in writing. No part of the development shall be occupied until the approved surface water drainage arrangements have been fully implemented.

Reason: To secure proper drainage and to prevent flooding and in accordance with Policy No. EP18 of the Adopted Chorley Borough Local Plan Review.

12. The integral/detached garages shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.

Reason: To ensure each property has adequate garaging/off street parking provision and to thereby avoid hazards/congestion caused by on-street parking and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.