

Item 4b **12/00586/OUT**

Case Officer **Mrs Helen Lowe**

Ward **Clayton-le-Woods And Whittle-le-Woods**

Proposal **Outline application (with all matters reserved) for the erection of 1no. detached dwelling on land opposite Greenways.**

Location **Land East Of Greenways And South Of Rosewood Parkside Drive South Whittle-Le-Woods Lancashire**

Applicant **Mrs S Aspden**

Consultation expiry: **13 July 2012**

Application expiry: **1 August 2012**

Proposal

1. This application proposes the erection of one detached dwelling. The application is in outline only, with all matters reserved, however it has been indicated that the property would be two stories high and an indicative layout has been provided.
2. The application site currently comprises a vacant area of land within the settlement boundary of Whittle le Woods. The land is largely level in nature and grassed over. There are a number of small trees and shrubs on the land.
3. The site is bounded by another vacant plot of land to the north, and by the gardens of other residential properties to the east and south. To the west lies Parkside Drive South, a private unadopted Road. There are further residential properties on the west side of Parkside Drive South.
4. An outline application for erection of two dwellings on the site was refused earlier this year (ref. 12/00022/OUT). An appeal against this refusal has been submitted, but is still on-going.

Recommendation

5. It is recommended that this application is granted conditional outline planning approval.

Main Issues

6. The main issues for consideration in respect of this planning application are:
 - Principle of the development
 - Impact on the neighbours
 - Design
 - Impact on streetscape and character of the area
 - Trees and Landscape
 - Ecology
 - Traffic and Transport

- Drainage and Sewers

Representations

7. Three letters of objection have been received, making the following comments:
 - The development will not be in keeping with the other properties on the land;
 - There is a boundary dispute on the north edge of the plot that must be resolved;
 - The development sits too far forward in the plot, Parkside Drive South must be 36foot wide at all points, this must comprise a 12ft grass verge either side of the 12ft road;
 - Will exacerbate surface run off, there is a spring in the proximity;
 - Any development will cause considerable disruption to dwellings at the bottom of the land with regard to traffic, noise and access during construction;
 - There are covenants on the land;
 - Must have assurance that water drainage pipes located at the rear of the plot will not be affected.
8. No letters of support have been received
9. Whittle le Woods Parish Council have objected to the proposal. The street scene on Parkside Drive South should be preserved. Continued development would erode the exclusivity of the area. There could be future development on the other half of the plot. The Parish Council would prefer a single house on the whole of the original site.

Consultations

10. **Parks and Opens Spaces Manager** There would be no justification for a request for a financial contribution towards the provision of public open space in the area.
11. **United Utilities** Comments still awaited
12. **Lancashire County Council (Highways)** No further comments than those made previously - the street is unmade and increased traffic will lead to additional wear and tear, the site is unlikely to encourage non-car use mode of transport, will provide poor pedestrian accessibility and will not be mobility inclusive. For these reasons recommend that the application is resisted on highway grounds.
13. **Chorley's Waste & Contaminated Land Officer** recommends the addition of an informative advising that a report identifying potential sources of contamination be submitted.
14. **Chorley Council Planning Policy** This proposal is acceptable provided that the scheme meets the requirements of criteria (a) to (g) of Local Plan Review Policy HS6: Housing Windfall Sites. It is not considered that the site acts as a private residential garden for Greenways and so the Interim Garden Development Policy does not apply.
15. The site is greenfield land, however the applicant has submitted an assessment that satisfies criterion (f) and shows that there are no available brownfield sites available in Whittle-le-Woods.

Assessment

Principle of the development

16. The application site is a previously undeveloped site located within the settlement boundary of Whittle le Woods, and as such Policy HS6 of the adopted Local Plan is relevant.
17. Policy HS6 (f) of the Local Plan review also required that any application for residential development on unallocated, previously developed land, irrespective of size, should include details which demonstrate to the Council that there are no suitable allocated or previously developed sites which area available in the settlement boundary that could accommodate the dwellings being proposed.

18. The applicant has carried out an assessment of sites available sites in the local area. It concludes that there are no suitable allocated or previously developed sites available in Whittle le Woods that could accommodate the development proposed.
19. It should be noted that Chorley's housing commitment can currently be met from sources other than Greenfield sites. The 2010 Central Lancashire Strategic Housing Land Availability Assessment indicates that Chorley has a 5 year deliverable housing supply, so there is no need to release such sites for housing development. Land with potential for housing is also identified for the 6-10 year and 11-15 year periods. Therefore, the Borough's future housing requirements can be met from existing housing allocations, previously developed sites and safeguarded land without reliance on Greenfield development.
20. One of the 12 core principles of the NPPF is that planning should seek to encourage the effective use of land that has been previously developed, although it does not preclude development of previously undeveloped land. One of the other core principles of the NPPF is that development should be focussed in locations that are sustainable. It is considered that the site is located in a relatively sustainable location with easy access to public transport, amenities such as a shop, church and school nearby and the means to access other amenities easily. The NPPF also states that development in sustainable locations should be approved without delay.
21. Given that the applicant has demonstrated that there are no suitable previously developed sites for development in the local area and that the site is located within a sustainable location within a settlement it is considered that the proposed development is acceptable in principle.

Impact on the neighbours

22. The application is currently only in outline stage, however it would appear from the indicative information provided that the Council's interface standards could adequately be met.

Design

23. The specific design of the proposed dwelling has not been submitted with this application; however this part of Whittle le Woods is characterised by large residential properties, sat within large landscaped plots. The specific design of the existing house types in the surrounding area is varied, with different styles and materials. The main issues in terms of design concerning this application are size, scale and density of the development, which are dealt with below.

Impact on street scape and character of the area

24. In considering the impact of the proposal on the streetscene and character of the area, regard should be had to a recent appeal decision for seven detached dwellings at the Coppice and Royle, Shaw Hill (application reference 10/00101/FUL) and the recent refusal for two dwellings on the site. This appeal was dismissed partly because of the impact on the character and appearance of the area. This was with specific regard, amongst other things, to density and local distinctiveness. It is considered that the circumstances considered at this appeal are comparable and are relevant in assessing this application, although it is acknowledged that the appeal related to seven dwellings and this proposal relates to one.
25. The settlement of Whittle le woods contains a diverse mix of residential properties and the site the subject of this application forms a parcel of land to the east of Greenways and to the south of Rosewood (with similarly sized plot of land between the application site and Rosewood). The site is largely surrounded by large detached properties set in extensive, landscaped gardens with significant number of trees. All these features contribute to the character of the area when viewed from Parkside Drive South.

26. The NPPF attaches considerable importance on achieving good design and a high quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness.
27. The importance of high quality design is reflected in the recently adopted Central Lancashire Core Strategy. Policy 17 seeks to emphasise the importance of high quality design in new development and specifically states that design of new buildings will be expected to take account of the character and appearance of the local area. Policy 5 states that Local Authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area. Consideration will also be given to making efficient use of land. Policy HS4 of the Local Plan echoes the above policies and is considered to conform with current National Policies.
28. The application site comprises a smaller plot in comparison to those already established in the immediate surrounding area, particularly Parkside Drive South itself. Whilst closer in size to the plots at Holly Bank House and Rosewood to the north and the recently erected dwelling to the rear of 105 Preston Road, it would still be the smallest plot on Parkside Drive South to be developed (the plot of land to the north, between the application site and Rosewood is slightly smaller). The reduction in the proposed number of dwellings from two to one, however, represents an improvement from the previous application and would considerably lessen the impact of the proposal on the character of the area.
29. When considered against plot sizes on Preston Road and Hardacre Lane nearby however the site is of a comparable size. A single dwelling on a plot of this size would not appear unusual and would have an adequate amount of private amenity space. On balance it is considered that a single dwelling on this plot would not cause such a significant change to the character of the area to warrant refusal of the proposals. The design of the dwelling would be determined at the reserved matters stage and a suitably high quality design secured.
30. The comments made by the Parish council regarding the use of the application site and adjacent plot to form a single site are noted, however, the two plots are in separate ownership and it cannot be assumed that this would ever be deliverable. The application site at 23m wide by 33m deep is still reasonable sized plot for a single dwelling.

Trees and Landscape

31. The application site is largely open. A few small trees/shrubs are located on the site, however it is not considered that the loss of these would be unduly harmful to the visual amenity of the area. No details of proposed landscaping have been submitted with the proposals.

Ecology

32. To the west of Parkside Drive South lie woodland and a pond, both approximately 100m from the application site. There are also a number of mature trees in close proximity to, but not directly affected by the application site. According to standing advice provided by English Nature these are habitats where protected species may be found. Although the site is not directly linked or adjacent to these sites, it would be helpful to establish if further ecological surveys are warranted.

Traffic and Transport

33. Whilst the detailed design of the proposed development has not been submitted it is considered that there would be sufficient capacity on the site to accommodate the required parking standards. Concerns were raised from LCC Highways during the course of the last application regarding the increase in traffic on Parkside Road South as a result of the proposal and the potential adverse impact on highway safety this may give rise to. As Parkside Drive South is a private, unadopted road, it is considered that the

potential deterioration and likely up keep of the road would not be a sufficient reason to warrant refusal of the proposal. This is a private matter.

34. Although Parkside Drive South itself does not have a designated footpath, the low number of dwellings served by the property means that it is relatively lightly trafficked and it is not considered that it would be unduly hazardous for a pedestrian. Preston Road is a short distance away (less than 200m) and served by regular bus services, and other amenities (as discussed above) are nearby therefore the site is considered to be in a sustainable location in accordance with the NPPF. For these reasons it is considered that the grounds of objection from LCC Highways cannot be sustained.

Drainage and Sewers

35. The concerns of the neighbouring residents regarding surface water run-off are noted. Conditions can be attached to ensure that permeable ground surface materials are used.

Overall Conclusion

36. This is a balanced decision, with a number of factors to consider. The proposed development would have an impact on the open character of the immediate locality, which comprises unusually large plots with single dwellings. When considered in a wider context (such as in relation to properties to the north end of Parkside Drive South and Hardacre Lane) it is not so unusual and the plot is still relatively large. This impact upon the character of the area must be balanced against the need to make efficient use of land, and the relatively sustainable location of the development (in relation to access, public transport and amenities). The NPPF does clearly state that development in sustainable locations should be approved without delay. It is not considered that the impact on the character of the area would be so detrimental as to sustain a refusal in light of these other considerations, and particular the thrust of the national policies. Therefore, on balance the proposal is accordingly recommended for approval.

Other Matters

Non- material planning considerations

37. The issues raised regarding the boundary disputes and covenants on the land are not material planning considerations and cannot be taken into consideration in determining the application. Any noise and disturbance arising as a result of the construction period would be of a temporary nature and for a site of this size and scale it is not considered that it would be reasonable to attach conditions relating to the construction phase of development.

Planning Policies

National Planning Policies:

NPPF

Adopted Chorley Borough Local Plan Review

Policies: GN1, GN5, EP9, HS4, HS6, HS21, TR4

Central Lancashire Publication Core Strategy

Policy 5: Housing Density; Policy: 17 Design of New Buildings

Chorley's Local Development Framework

- Policy SR1: Incorporating Sustainable Resources into New Development
- Sustainable Resources Development Plan Document
- Sustainable Resources Supplementary Planning Document

HS3.

Planning History

12/00022/OUT Erect two detached houses on land opposite Greenways

Refused 8 march 2012

Recommendation: Permit Outline Planning Permission

Conditions

1. An application for approval of the reserved matters (namely the external appearance of the dwellings, the layout and landscaping of the site and the means of access thereto) must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun two years from the date of approval of the last of the reserved matters to be approved. 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.

2. The application for approval of reserved matters shall be accompanied by full details of the position, height and appearance of all fences and walls to be erected to the site boundaries (notwithstanding any such detail shown on previously submitted plan(s)) shall have been submitted to and approved in writing by the Local Planning Authority. No building shall be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times. Reason: To ensure a visually satisfactory form of development, to protect the amenities of occupiers of nearby property and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

3. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plan(s). The development shall only be carried out in conformity with the approved details. Reason: To protect the appearance of the locality, 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.

4. The application for approval of reserved matters shall be accompanied by 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 to ensure that the proposed surface materials do not lead to an unacceptable increase in surface water run off and in accordance with Policy Nos. GN5, HS4, EP18 of the Adopted Chorley Borough Local Plan Review.

5. The dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy SR1 of the Sustainable Resources DPD (Level 3 for all dwellings commenced from 1st January 2010, Level 4 for all dwellings commenced from 1st January 2013 and Level 6 for all dwellings commenced from 1st January 2016). Reason: To ensure the development is in accordance with Government advice contained in the National Planning Policy Framework and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.

6. No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved

assessment and certification unless the Local Planning Authority otherwise approve in writing. *Reason: To ensure the development is in accordance with Government advice contained in the National Planning Policy Framework and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

7. The dwelling shall not be occupied until a letter of assurance, detailing how the dwelling will meet the necessary code level has been issued, to the Local Planning Authority, by an approved code assessor. The development thereafter shall be completed in accordance with the approved measures for achieving the required code level. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority. *Reason: To ensure the development is in accordance with Government advice contained in the National Planning Policy Framework and in accordance with Policy SR1 of Chorley Borough Council's Adopted Sustainable Resources Development Plan Document and Sustainable Resources Supplementary Planning Document.*

8. 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.*