

Item 4h **12/00658/FULMAJ**

Case Officer **Caron Taylor**

Ward **Astley And Buckshaw**

Proposal **Replan of part of previously approved scheme (ref: 10/00792/FULMAJ) replacing 19 of the dwellings on the parcel with 41 dwellings and associated roads and footways.**

Location **Parcel L Buckshaw Avenue Buckshaw Village Lancashire**

Applicant **Barratt Homes (Manchester)**

Consultation expiry: **17 September 2012**

Application expiry: **25 September 2012**

Proposal

1. Replan of part of previously approved scheme (ref: 10/00792/FULMAJ) replacing 19 of the dwellings on the parcel with 41 dwellings and associated roads and footways

Recommendation

2. It is recommended that this application is approved subject to conditions.

Main Issues

3. The main issues for consideration in respect of this planning application are:
 - Background information
 - Principle of the development
 - Density
 - Levels
 - Impact on the neighbours
 - Design and Layout
 - Open Space
 - Trees and Landscape
 - Ecology
 - Flood Risk
 - Traffic and Transport
 - Public Right of Way
 - Contamination and Coal Mines
 - Drainage
 - Affordable Housing

Representations

4. 22 letters of objection have been received on the following grounds:
 - More dwellings will mean extra people and therefore more traffic/congestion on the access road;
 - There are not enough school places;
 - It will impact on wildlife;
 - Barratts told purchasers there would be no affordable housing on the parcel. There is already a significant amount of affordable housing on Buckshaw and if this increases it may start to affect the balance of the village;
 - The nature of the housing is out of keeping;
 - The plans are going further into the hill;
 - Some properties have limited parking and therefore will result in on-street parking;

- It will impact on a conservation area and listed buildings;
- The public areas are not able to accommodate extra occupiers;
- If approved, traffic calming measures need to be considered adjacent to the play area.

Following the notification on amended plans submitted by Barratts a further 6 objections have been received:

- They still object stating there will be little change in traffic and noise and services in the area are oversubscribed;
- Too many vehicles already use the roads in the area;
- Is there not already enough social housing? Social housing could cause issues in the village;
- They were told this would be a development of 4 to 5 bed houses, Barratt should not be allowed to change their plans half way through development.

Consultations

5. The Architectural Design and Crime Reduction Advisor

Does not have any comments to make on the application.

6. Lancashire County Council (Highways)

Originally objected to the proposal on the grounds that the parking arrangements (as multiple spaces next to each) other will result in cars backing out into the road will little visibility. They were also concerned that the layout of the focal square would encourage on street parking in a way that would obstruct driver visibility.

7. Amended plans have been received following these comments and LCC Highways are not satisfied with the proposed layout and parking proposed.

8. Lancashire County Council (Education)

Originally asked for an education contribution but following further correspondence have withdrawn this request (see body of report).

Assessment

Background

9. A number of amended plans have been received through the life of this application. Barratt submitted two sets amended plans following feedback from neighbours. The Council then raised a number of concerns about the proposal and a further set of plans were received.

Principle of the development

10. This part of Buckshaw Village was given outline planning permission as part of the wider village in 1999 by permission reference 97/00509/OUT along with an application for modification of conditions reference 02/00748/OUTMAJ.

11. Full permission was then given to Barratt for the erection of 42 two and two and a half storey dwellings by permission reference 10/00792/FULMAJ in November 2011, which included the land the subject of this application and the land adjacent to it, to the west. This application is for the east part of the previously approved parcel to change the previously approve layout from 19 dwellings to 41 dwellings.

12. The principle of housing on this part of Parcel L has already been established by the earlier permissions. The issue is therefore whether changing it to 41 dwellings is acceptable or not, which will be down to the specific issues of design, layout, highway etc. discussed below. Subject to these being satisfactory the principle of the development is acceptable.

Density

13. The proposal would result in the part of Parcel L the subject of this application having a density equivalent to 37 dwellings per hectare. However, it is considered that the density should be considered along with the rest of the Barratt Parcel L as this parcel was originally approved as a whole. Taken with the rest of the Barratt Parcel L it would result in a density equivalent of 32 dwellings per hectare.

14. There is a Residential Design Code for this part of Buckshaw Village. This parcel is within a Contemporary Housing area within the Code which sets out will have a typical density of 25-35 dwellings. The parcel as amended still complies with the density set out for this part of the site and is therefore considered acceptable.

Levels

15. The site is relatively flat and it is considered that satisfactory levels can be achieved for the dwellings. The applicant advises that they will send in a levels plan before Committee which will be reported on the addendum. If it is not received a pre-commencement conditions will be applied requiring levels to be submitted and approved by the Council.

Impact on the neighbours

16. The west part of Parcel L is already constructed with some properties occupied that bound with the application parcel. The proposal complies with the Council's interface distances with existing properties and within the site itself apart from on a limited number of plots. Plot 19 has 9.5m to the boundary with proposed plot 17. Although this is slightly lower than the guideline of 10m the remedy would be to reduce the size of the garden of plot 17 which would give it an unusual shape. It is considered that plot 17 would benefit more from the larger garden proposed than having the interface increased to 10m.
17. Plot 23 faces towards plot 24. The nearest point between the two is 10m, when the interface guideline is 12m. However, plot 23 does not look directly onto plots 24 but is at an angle so this is considered an acceptable relationship.
18. The properties on the southern part of the parcel face each other along the road extending north from the Stuart Milne parcel. The distance between the front of the semi-detached properties around the focal square (plots 49-52 and 57-60) is 19m (rather than the 21m guideline) but is considered acceptable when weighed against the positive design feature that the focal square creates to break up the long road coming off the roundabout through the Stuart Milne parcel to the south.

Design and Layout

19. The Design Code states that contemporary housing parcels such as this will be 1-3 storey detached, semi-detached and terraced housing as appropriate, with some special types to turn corners will be acceptable using developer's standard house types, but innovation will be encouraged in layout form.
20. The design of the whole of Parcel L if this application is approved (including the part already constructed) will have a character reflecting what was envisaged in the Design Code with a mixture of detached, semi-detached and terraces housing. In addition, there are examples of smaller properties interspersed with detached properties in the immediate area, including terraced and semi-detached properties on Spennymoor Close and Aycliffe Drive. The smaller properties now proposed will be located together along the straight stretch of road running north from the Stuart Milne parcel to create a more formal character in this part of the site around the focal square which incorporates traffic calming measures. The two and a half storey properties will be situated in two locations on the parcel. Plots 20-23 are situated in a small private mews, views of which will largely be restricted to when viewed at the head of the main route up from the Stuart Milne parcel and plots 26 and 27 are situated at the head of the road when approached from Aycliffe Drive. Both of these locations are at the head of vistas and are considered suitable locations for taller properties. Overall, Buckshaw Village has a range of property types and sizes, often in close proximity to one another and the proposed layout is considered acceptable.
21. All properties have sufficient garden area for storing waste and recycling bins and front access to enable these to be brought the front of the properties on collection day, this includes plots 21, 22 and 47 which have rear access alleyways. A condition will be imposed requiring these to be gated to avoid creating alleyways that can be accessed easily by passers-by.

Open Space

22. Open space has been planned comprehensively as part of the Masterplan for Buckshaw Village.

Trees and Landscape

23. Landscaping is proposed to the frontage of the dwellings and a landscaping condition is proposed to secure this.

Flood Risk

24. The site already benefits from planning permission for housing and flood risk was assessed as part of the original outline permission for the whole village.

Traffic and Transport

25. The properties proposed range in size from two to five bedroom houses. All have the required number of parking spaces in line with the Council's parking standards. Only the Cheadle House Type which has three bedrooms but has an integral garage, but as this has the required two off road parking spaces it is not necessary to prevent conversion of the garage in the future by condition. Some of them rely on detached garaging to meet the parking standards– these will be conditioned to prevent them being converted from garages without planning permission.
26. It has already been established above that the parcel will be within the density as envisaged for this part of the site and therefore it is not considered the increase in traffic will be at an unacceptable level. Traffic calming has been incorporated into the design with two traffic tables and a 90-degree bend to slow traffic speeds. The County Council as Highway Authority for the area are satisfied with the highway layout of the proposal. The scheme is therefore considered acceptable in relation to highways.

Public Right of Way

27. There are no public rights of way affected by the proposal.

Contamination and Coal Mines

28. The site has been previously remediated and accepted as validated by BAe Systems as part of Area 10 of the site.
29. The site is not within a coal referral area or one that requires the Council to attached standing advice from the Coal Authority to any permission.

Drainage

30. Appropriate conditions will be imposed on any permission relating to drainage of the site.

Affordable Housing

31. Nine affordable properties are proposed on the site as part of the overall affordable requirement to be provided on Buckshaw Village as required by the original Section 106 legal Agreement.
32. Nine of the dwellings are proposed as affordable units (against the east boundary of the site). This is considered acceptable to go towards the developer's requirement to provide affordable housing on Buckshaw. It is not considered that it will affect the balance of the community on Buckshaw (an issues raised in representations)

Other Issues

33. Representations have been received in relation to the land to the north of the site adjacent to the landscaped mound. This land did not form part of the earlier application on this parcel but part of it forms part of this application.
34. The applicant advises that the extent of the earlier approved parcel was drawn up to the extent of the original Barratt/Redrow consortium land ownership. Previously, there had been an agreement with BAe Systems that the Barratt/Redrow consortium would take ownership of any land between that line and the bottom of the adjacent embankment. This was to occur once all works to the embankment and the associated land drainage were completed. However, these

works were not completed until after Parcel L had gained planning permission and resulted in a strip of land remaining between the edge of the land drain and the previously approved extent of Parcel L which became consortium-owned. As part of the final land equalisation with Redrow, it was agreed that the additional strip would be transferred solely to Barratt which is not in the control of Barratt to include within the development.

35. There would have been no objection to this strip of land being included as part of the previous application as the land up to the bottom of the landscaping mound was always intended to be developed, it was only because it was not within the control of Barratt at that time that it was unable to form part of the previous application.
36. As the west part of Parcel L has already been constructed the strip of land was not included within that part of the parcel which results in a step in the extent of the north boundary of the site. Barratt advise they are however exploring options to incorporate this into the site at the moment which should overcome this issue in the long-term.
37. It is not considered the proposal will impact on ecology. The whole area has been remediated and the majority of the site already benefits from permission for housing that could be implemented as it is extant.
38. Representations have also been received in relation to the ability of community facilities to absorb the development, in that the school is already full and doctors as are doctors and dentists.
39. To respond to this, this parcel has always been part of the Buckshaw Village Masterplan and been envisaged for housing as part of the original permissions for the Village.
40. The site has had outline permission since the original permission was granted in 1999 (with a subsequent change of conditions application in 2002). The parcel is one half a larger parcel that all had detailed planning permission approved (Barratt Homes) approved in detail for 42 properties in 2010. This application now proposes to re-plan part of the parcel (which was previously approved with 19 dwellings) so it has 41 dwellings on it instead.
41. Although the change to the parcel will involve the scheme being denser than previously approved, this part of the site was always envisaged to be developed at a density of 24-35 dwellings per hectare are part of the original planning permission and associated Masterplan. The whole of this parcel (including the remaining part that it is not proposed to change) will result in a density of 32 dwellings per hectare, which is in line with what was envisaged at the time of the original permission and therefore what the original s106 was based on which made a contribution to the primary school on Buckshaw (and its subsequent expansion to a two form entry school) has already been made by the developer.
42. Therefore as this parcel already has outline permission for housing, and although now denser than previously approved is still within the density always envisaged for this parcel for which the developer has already paid contributions to education via a Section 106 Agreement.
43. LCC's School Planning originally requested an education contribution for this parcel, however following further correspondence with them they were informed that the developer has already paid contributions based on a density for the parcel now proposed and there therefore no longer require a further contribution.
44. A new Health Centre is nearing completion on Buckshaw and is due to open before the end of the year. This will cater for 10,000 patients and again was planned as part of the original permissions for Buckshaw Village to serve residents from this parcel.
45. To respond to other representations: there are no conservation areas of listed buildings in close proximity of the parcel that will be affect by the scheme; the Council cannot refuse to deal with a change to a previously approved parcel it must consider each application on its planning merits.

Overall Conclusion

46. The application is recommended for approval.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN2, GN5, HS4, TR4

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 5, Policy 17

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 1999.

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 2002

10/00792/FULMAJ: Erection of 42 No 2 and 2½ storey dwellings. Permitted 19th November 2011.

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 be carried out in accordance with the following approved plans:

Drawing Number:	Received:	Title:
410/SL01	26 June 2012	Site Location Plan
410/PL 01 Rev H	3 September 2012	Proposed Site Layout
410/ML 01 Rev G	3 September 2012	Proposed Materials Layout
410/BTL 01 Rev F	3 September 2012	Boundary Treatment Layout
410/BTD 01	26 June 2012	Proposed Boundary Treatment Details
410/HT/ASHC//01	21 August 2010	The Ashford
2010/HEL/C/01	26 June 2012	The Helmsley
410/TIV/C/01 Rev B	31 August 2012	The Tiverton
2010/BAR/C/01	26 June 2012	The Barwick
2010/BAM/C/01	26 June 2012	The Bampton
2010/MOR/C/01	26 June 2012	The Morpeth
2010/CHE/C/01	26 June 2012	The Cheadle
2010/THO/C/01	26 June 2012	The Thornbury

2006/ALD/02 B
410/THO(S)/C//01vB

26 June 20012
19 July 2012

The Alderney
The Thornbury (special)

Reason: To define the permission and ensure a satisfactory form of development

3. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.
Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No.HS4 of the Adopted Chorley Borough Local Plan Review.
4. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.
Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.
5. 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 and HS4 of the Adopted Chorley Borough Local Plan Review.
6. 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.
7. During the development, if contamination which has not previously been identified, is found to be present at the site no further development shall be carried out until a Method Statement has been submitted to and approved in writing by the Local Planning Authority detailing how this unsuspected contamination will be dealt with. The development shall then only be carried out in accordance with the Method Statement.
Reason: To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with PPS23.
8. The external facing materials detailed on the approved plan drawing number 410/ML 01 Rev G shall be used and no others substituted without the prior written approval of the Local Planning Authority.
Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5, GN2 and HS4 of the Adopted Chorley Borough Local Plan Review.
9. Before the properties hereby permitted are first occupied, the car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The car park and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.
Reason: To ensure adequate on site provision of car parking and manoeuvring areas and in accordance with Policy No. TR4 of the Adopted Chorley Borough Local Plan Review.

10. Prior to the occupation of plots 54 and 55, the access road through to the remaining part of parcel L to the south (Stuart Milne parcel) shall have been constructed up to the application boundary in accordance with the approved plans.
Reason: To ensure access to the parcel from the south is secured and in accordance with Policies GN2 and TR3 of the Adopted Chorley Borough Local Plan Review.
11. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.
Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.
12. The detached garages hereby permitted to serve plots 13 (for the avoidance of doubt marked 500 on drawing ref: 410/PL01 Rev H), 14, 15, 16, 22 and 23 (plots as labeled on drawing ref: 410/PL01 Rev H) shall be kept freely available for the parking of cars, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995.
Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and in accordance with Policy No. TR4 and HS4 of the Adopted Chorley Borough Local Plan Review.