

**Item 4f**                      **12/00787/REMMAJ**

**Case Officer**            **Adele Hayes**

**Ward**                        **Astley And Buckshaw**

**Proposal**                  **Proposed residential development comprising 82 dwellings and associated works**

**Location**                 **Land North East Of Buckshaw Hall And Bounded By Buckshaw Avenue And Ordnance Road Buckshaw Village Lancashire**

**Applicant**                **Barratt Homes (Manchester)**

**Consultation expiry:** **10 October 2012**

**Application expiry:** **19 November 2012**

### **Proposal**

1. Outline planning permission was granted for the Buckshaw Village development in 1997 and amended in 2002. The site as a whole is split between the administrative areas of South Ribble Borough Council and Chorley Borough Council.
2. This application site is located entirely within the boundary of Chorley Borough Council and comprises 2.2 hectares of land within the southern part of Buckshaw Village, referred to as the Southern Commercial Area. This area was included within the original outline planning approval for the whole of the Village.
3. The Southern Commercial Area Design Code states that the central part of this area will be given over to a mixed use core which will incorporate shops, restaurants, offices, commercial and leisure facilities.
4. This application relates to the western fringe of the commercial area immediately adjacent to the central commercial core of the Village and Parcel M which is identified for housing within the Design Code.
5. Reserved matters approval is sought for the erection of 82 dwellings.

### **Recommendation**

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

### **Summary**

7. The acceptability of the principle of housing on this site was established with the grant of the original outline planning permission and a subsequent reserved matters approval for the eastern part of the application site (08/01098/REMMAJ). It is considered that the proposal accords with the approved Design Code for the Southern Commercial Area and as such the scheme is considered to be acceptable

### **Main Issues**

8. The main issues for consideration in respect of this application are:
  - Principle of the development

- Design and character of the development
- Impact on the neighbours
- Impact on the setting of the listed building
- Traffic and Transport
- Section 106 Agreement

## **Representations**

9. No representations have been received.

## **Consultations**

10. **The Architectural Liaison Officer** is satisfied with the proposal.
11. **Chorley's Conservation Officer** has commented on the proposals.
12. **Lancashire County Council (Highways)** have commented on the application.
13. **Lancashire County Council (Education)** have commented on the application.
14. **Chorley's Waste & Contaminated Land Officer** has no objection in respect of waste storage and collection.

## **Assessment**

### Principle of the development

15. Policy 1 of the Central Lancashire Core Strategy identifies Buckshaw Village as a location for strategic growth.
16. Policy GN2 of the Adopted Chorley Borough Local Plan Review applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village.
17. The western part of the application site is allocated for housing within the Masterplan approved under the outline permission and the Southern Commercial Design Code whilst the eastern part of the application site, which is located adjacent to the retail local centre, is allocated as a mixed use area including housing within the Design Code.
18. When reserved matters approval was granted in January 2009 (08/01100/REMMAJ) for the retail elements of the Southern Commercial Area, a concurrent application was considered and approved (08/01098/REMMAJ) for purely residential properties adjacent to the local retail centre.
19. The acceptability of the principle of developing the application site for housing has therefore been established.

### Design and character of the development

20. The proposed housing development incorporates a mix of one, two, three and four bedroom houses. A new spine road leading from Buckshaw Avenue divides the site creating two distinct parcels comprising land adjacent to the local retail centre and land adjacent to Buckshaw Hall.
21. The Design Code for the Southern Commercial Area identifies three distinct areas for housing development adjacent to Buckshaw Hall. These include 'Buckshaw Hall Housing' to the north of the Hall, 'Green Space Housing' to the south of the Hall (outside the application site) and 'Contemporary Housing' on the remainder of land within parcel M.

22. The general design principle for the proposed housing incorporates a perimeter block layout with a strong frontage onto Buckshaw Avenue and secure defensible rear gardens. Key gateways into the site have been given careful design consideration and the individual house types, which comprise a mix of detached, semi-detached and terraced dwellings of 2, 2.5 and 3 stories accord with the Design Code for this area.

#### Impact on the neighbours

23. The application site is essentially flat, with a small east-west rise, and the submitted scheme respects the Council's spacing standards. As such it is considered that the proposal will not result in any loss of amenity for the future residents within the development or future occupiers of properties currently under construction on the adjoining parcel of land to the south. In addition there will be no loss of amenity for occupiers of existing properties located on the opposite side of Buckshaw Avenue.

#### Impact on the setting of the Listed Building

24. Due to the proximity of the site to Buckshaw Hall, the impact on the setting of the listed building is a material consideration in the assessment of the proposal. Buckshaw Hall is a 'designated heritage asset' as defined by Annex 2 to the NPPF. Section 12 of the NPPF deals specifically with conserving and enhancing the historic environment. Paragraphs 131, 132, 134 and 137 are pertinent in this application. The relevant considerations in respect of the proposed development are the potential impact upon the significance of a designated heritage asset or that of its setting.
25. It is considered that the setting of this designated heritage asset has already been severely degraded as a consequence of its location within the former Royal Ordnance Factory (ROF) Chorley site. The original rural and agricultural setting of the building disappeared in the 1930's and can never be recreated. Additionally Buckshaw Hall is located within the Buckshaw Village development and outline planning consent has already been granted for residential development within its immediate vicinity.
26. It is considered that the buffer of the site, the original curtilage of the building and its kitchen garden, must be conserved in order that what remains of the significance of its setting is not further degraded by encroaching development.
27. The proposal has been amended since the application was originally submitted and the relationship of the scheme with Buckshaw Hall is much improved respecting its setting and retaining an appropriate separation distance between it and the designated heritage asset. The building is being left able to 'breathe' and important views of the Hall from Central Avenue will be maintained. This will involve the removal of some trees and bushes but replacement planting is proposed to compensate for their loss.

#### Access and Parking

28. The residential dwellinghouses proposed as part of this development will be accessed via Buckshaw Avenue which links Central Avenue to the A6. The majority of the properties incorporate in-curtilage parking however some of the dwellings will have parking located to the rear in the form of parking courts.
29. Access to the whole site was considered at outline planning stage and several road improvements / alterations have occurred to the surrounding road networks.
30. The Highway Engineer has reviewed the proposals and the site layout plan has been revised since the application was originally submitted in order to address some concerns including the provision of a 'staggered junction' off the new spine road into the site.
31. As such the Highway Engineer has commented that the proposal is generally acceptable in highway safety terms but has requested additional swept path analysis to demonstrate that larger bin vehicles can manoeuvre within the site.

## Section 106 Agreement

32. This site forms part of the wider Buckshaw Village Development which was originally granted outline permission in 1999 and amended in 2002. The S106 Agreement and associated obligations were negotiated and agreed at the outline stage and as such the Council has no ability to request further obligations at this stage particularly on a reserved matters application which is directly related to the outline planning approval.
33. Notwithstanding this, Lancashire County Council have requested the following financial contributions:
  - Highway works - £86000
  - Education - £337434
34. The National Planning Policy Framework guidance published on 27th March 2012 replaces Circular 05/2005 in respect of Planning Obligations. The NPPF states that planning obligations should only be sought where they meet all of the following tests:
  - necessary to make the development acceptable in planning terms;
  - directly related to the development; and
  - fairly and reasonably related in scale and kind to the development.
35. As the obligations for this site have already been secured it is considered that further requests do not meet the above tests or are necessary to make the development acceptable. As such further obligations will not be secured via this reserved matters application.

## Overall Conclusion

36. Through a number of amendments secured to the scheme, it is now considered that the scheme provides the optimum layout and is in accordance with the Design Code for Buckshaw Village. As such it is recommended that the application is approved.

## **Planning Policies**

### National Planning Policies:

National Planning Policy Framework

### North West Regional Spatial Strategy:

**Policy DP1:** Spatial Principles

**Policy DP7:** Promote Environmental Quality

**Policy RDF1:** Spatial Priorities

**Policy L4:** Regional Housing Provision

**Policy RT9:** Walking and Cycling

**Policy EM5:** Integrated Water Management

### Adopted Chorley Borough Local Plan Review

Policies:

**GN2:** Royal Ordnance Site, Euxton

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

**GN9:** Transport Accessibility

**EP18:** Surface Water Run Off

**HS4:** Design and Layout of Residential Developments

**TR1:** Major Development- Tests for Accessibility and Sustainability

**TR4:** Highway Development Control Criteria

**TR18:** Provision for pedestrians and cyclists in new developments

Supplementary Planning Guidance:

- Design Guide
- Southern Commercial Design Code

## Planning History

**97/00509/OUT:** Outline application for mixed use development (granted in 1999)

**02/00748/OUT:** Modification of conditions on outline permission for mixed use development

**06/00786/REMAJ:** Construction of main access road, drainage and landscaping along southern commercial perimeter road. Approved September 2006

**08/01098/REMAJ:** Reserved matters application for the erection of 84 apartments and 24 dwelling houses at the Southern Commercial Area, Buckshaw Village. Approved January 2009

**08/01100/REMAJ:** Reserved Matters Application for the Southern Commercial Area, Buckshaw Village. Including retail uses, residential, car parking, related infrastructure and landscaping. Approved January 2009

**10/00334/FULMAJ:** Application under Section 73 to vary Conditions 1, 5, 6, 12, 13 and 14 as attached to Planning Permission Reference 08/01100/REMAJ. Approved July 2010

**11/00974/REMAJ:** Section 73 application to vary condition 1 (approved plans) of reserved matters approval 06/00786/REMAJ involving altering the location of the junctions. Approved January 2012.

**12/00148/REMAJ:** Reserved matters application for the erection of 124 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village. Withdrawn

**12/00463/REMAJ:** Reserved matters application for the erection of 123 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village. Approved July 2012

## Recommendation: Permit Full Planning Permission Conditions

1. The development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.

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

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

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

3. The approved plans are:

Plan Ref.	Title:	Received:
SDL 1954/ 1	- Existing Topographical Survey	19 October 2012
430/ P/ OS01	- Existing Ordnance Survey Plan (site edged red)	19 October 2012
430/ P/ PL01	C Proposed Planning Layout	19 October 2012
430/ P/ ML01	C Proposed Materials Layout	19 October 2012
430/ P/ BTL01	C Proposed Boundary Treatments Layout	19 October 2012
430/ P/ RS01	C Proposed Refuse Strategy Layout	19 October 2012
430/ P/ HL01	C Proposed Hard Landscape Layout	19 October 2012
SCP 12266 F01	- Swept Path Analysis Large Refuse vehicle	19 October 2012
430/ ED01	- Proposed Engineering Drawing (Floor Levels)	19 October 2012
430/ONY/C/01	- Onyx House Type (Contemporary Elevation)	19 October 2012
430/ONY/SP/01	- Onyx House Type (Urban Elevation)	19 October 2012

430/PEA/C/01	- Pearl House Type (Contemporary Elevation)	19 October 2012
430/QUA/C/01	- Quartz House Type (Contemporary Elevation)	19 October 2012
430/SBA/C/01	- Banbury/ Stroud Mews Type (1 of 2)	19 October 2012
430/SBA/C/02	- Banbury/ Stroud Mews Type (2 of 2)	19 October 2012
430/ASH/C/01	- Ashford House Type	19 October 2012
430/BAR/C/01	- Barwick House Type	19 October 2012
430/BAR/C/02	- Barwick House Type (Detached Option)	19 October 2012
430/BAR/SP/01	- Barwick Special House Type (Buckshaw Hall)	19 October 2012
430/DAR/C/01	- Dartmouth House Type (Brick Elevation)	19 October 2012
430/DAR/C/02	- Dartmouth House Type (Part Render Elevation)	19 October 2012
430/DAR/SP/01	- Dartmouth Special House Type (Buckshaw Hall)	19 October 2012
430/YOR/C/01	- York House Type	19 October 2012
430/YOR/SP/01	- York Special House Type (Buckshaw Hall)	19 October 2012
430/MOR/C/01	- Morpeth House Type (Brick Elevation)	19 October 2012
430/MOR/C/02	- Morpeth House Type (Render Elevation)	19 October 2012
430/MOR/SP/01	- Morpeth Special House Type (Buckshaw Hall)	19 October 2012
430/FAR/C/01	- Farringdon House Type	19 October 2012
430/HEL/C/01	- Helmsley House Type (Brick Elevation)	19 October 2012
430/HEL/C/02	- Helmsley House Type (Render Elevation)	19 October 2012
430/LIN/C/01	- Lincoln House Type	19 October 2012
430/ P/ SS01	- Proposed Street Elevations	19 October 2012
430/ P/ SG01	- Single Garage Details (6mx3m)	19 October 2012
430/P / DG01	- Double Garage Details (6mx6m)	19 October 2012
430/P / TG01	- Triple Garage Details (9mx6m)	19 October 2012
430/ P/ BTD01	A Boundary Treatment Details	19 October 2012
430/ P/ BS01	- Bin Store Detail	19 October 2012

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

4. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.  
*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN4 of the Adopted Chorley Borough Local Plan Review.*
  
5. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. The railings used on the development shall be the 'Buckshaw Village railings' as used on other parcels on Buckshaw Village.  
*Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No.HS4 of the Adopted Chorley Borough Local Plan Review.*
  
6. The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.  
*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.*
  
7. 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.*
  
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 Nos. GN2 and GN5 of the Adopted Chorley Borough Local Plan Review.*

9. 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 Government advice contained in the National Planning Policy Framework*

10. 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.*