

**Item 4f**                      **12/00945/REMMAJ**

**Case Officer**              **Caron Taylor**

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

**Proposal**                    **Reserved matters application for the erection of 32no residential dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ).**

**Location**                   **Parcel H3 Group 1 West Of Central Avenue And South Of Worden Brook Euxton Lane Euxton Lancashire**

**Applicant**                  **Persimmon Homes Lancashire**

**Consultation expiry:** **21 November 2012**

**Application expiry:** **11 January 2013**

#### **Proposal**

1. Reserved matters application for the erection of 32 dwellings and associated landscaping treatment and highway works (pursuant to outline permission reference 08/00910/OUTMAJ).
2. The site is within the part of Buckshaw Village known as Group 1, the area to the west of Central Avenue. The site was given outline planning permission by 08/00910/OUTMAJ.

#### **Recommendation**

3. It is recommended that this application is approved subject to satisfactory amended plans being received prior to Committee. This will be reported on the addendum.

#### **Main Issues**

4. The main issues for consideration in respect of this planning application are:
  - Principle of the development
  - Design Code
  - Impact on the neighbours
  - Design and Layout
  - Legal Agreement
  - Trees and Landscape
  - Traffic and Transport
  - Contamination and Coal Mines
  - Drainage and Sewers
  - Sustainability

#### **Representations**

5. No representations have been received.

#### **Consultations**

6. **The Environment Agency**  
Have no objection in principle to the proposed development subject to comments that if during the earthworks exercise further contamination is found in close proximity to the streams and reservoir then the risks to controlled waters will need to be re-assessed.
7. They are satisfied with BAE Systems' conclusion that no specific groundwater remedial measures are required.

8. They are satisfied with BAE Systems' proposals for the surveying and removal of drains and for surface water management during the remediation works.
9. All site drainage must be in accordance with the approved detailed drainage plan for the Group One site.
10. The buffer between the development and adjacent watercourse should be maximised to allow sufficient access and the development of riparian habitat. If practicable, developers should refrain from the use of close boarded fencing along the riparian boundary and leave the area open or use post and rail fencing to try and incorporate the habitat into the development.
11. **The Architectural Design and Crime Reduction Advisor**  
The Plans indicate a 1.8m close boarded fencing arrangement for rear boundary security of individual dwellings which is supported. Horizontal supporting rails should be fitted to the private side of the fence so as not to create a ladder effect around the public side of the dwelling boundaries. Elevations indicate windows in the garages. It is recommended that openings are kept to a minimum in sheds and garages as they provide an opportunity for offenders to view items in the garage and provide a means of entry.
12. **United Utilities**  
Have no objection to the proposal subject to conditions in relation to a scheme for the disposal of foul and surface water incorporating a surface water regulation system restricting runoff to greenfield runoff rates and that the site must be drained on a separate system, with only foul drainage connected into the foul sewer.

#### **Lancashire County Council (Highways)**

13. Originally raised some concerns regarding the parking and road width. Amended plans were received in response to these points and LCC Highways state the internal layout is now improved and is acceptable from a highway viewpoint.
14. Nearly all plots are either 4/5 bedroom, and the level of parking provision is in accord with the preferred standards, that is 3no spaces. The garages, whether detached or internal, are still slightly undersized however the majority of the plots are catering for an extra parking space and the level of undersize is small [2.8m rather than 3m] therefore they accept them.
15. They understand that the spine road will eventually form part of a 20mph zone therefore they are agreeable to direct access for the 6 plots fronting it. In this respect the visibility sightlines are also likely to be satisfied.
16. As such, they no longer have any overriding highway objection to the proposed development.
17. **Chorley's Waste & Contaminated Land Officer**  
Has no comment to make on the application.

#### **Assessment**

##### Principle of the development

18. The principle of the proposal has already been established by outline planning permission 08/00910/OUTMAJ. This outline permission required a Design Code to be drawn up and this has been submitted to and approved by the Council. The application will therefore be assessed as to whether it conforms to the approved Design Code.

##### Design Code

19. The application site is within Plot H3 of the approved Design Code and is known as a 'Woodland Green' area. There are three such plots on the site, H3 being the middle sized one. Plot H4 is the smallest and is within the Borough of South Ribble. Plot H2 is the largest and is situated to the southeast of this application site within Chorley Borough.
20. Plot H3 bounds with an existing large pond to the south (the former Fire Pond). At the time of the outline permission it was envisaged that the plot would accommodate low density housing

development as the site is surrounding by a Biological Heritage Site (BHS), which was one of the main material planning considerations at outline stage. Low density large detached dwellings were envisaged to retain an open feeling and respect the interface with the BHS with a maximum of 30 dwellings per hectare. The proposed layout would provide a development equivalent to 20.5 dwellings per hectare and the density is considered to comply with the Design Code.

#### Impact on the neighbours

21. The application site is set within a distinct parcel within the Group 1 site. There are no existing properties and there will be no other parcels immediately adjacent to this one so there are no neighbour amenity issues outside the site.
22. Within the site the layout is considered acceptable apart from on three plots that do not meet the Council's interface distances. This has been raised with the applicant and amended plans are to be submitted before Committee in relation to this issue and will be report on the Addendum. Subject to the amended plans meeting the interface distances on all plots the proposal is considered acceptable in relation to neighbour amenity within the site.

#### Design and Layout

23. The layout of the parcel is as indicated at outline stage, accessed from one point from the main spine road running through the Group 1 site. The Design Code states that the entrance to Woodland Green plots should be defined with individual building types, with change of surface at key locations to define character and control traffic. Parcel H3 should have houses fronting the Fire Pond and Village Street with an informal streetscape to reflect the secluded setting.
24. The entrance to the site has a Hogarth house type on each corner former a feature and is considered to conform to the Design Code. The site will also use changes of surfaces within the layout including rumble strips to slow traffic. In line with the Design Code houses will front towards the Fire Pond and Village Street to the south of the site.
25. The proposed properties are all large detached two-storey houses, again this is in-line with the Design Code with stated that the development on Plot H3 will be exclusive and have larger two and two-and-a-half storey buildings.
26. The design of the properties incorporate front gables, porches, vertically proportioned windows with heads and sills. Some properties will incorporate integral garages, while others have detached garages.
27. The boundary treatments are important on this parcel given its relationship with the woodland. The Environment Agency has advised that close boarded fencing should be avoided on the site boundaries. The proposal orientates the properties so they face outwards avoiding the need to have rear boundaries backing onto the woodland. The boundaries to the east and southwest will be left open. Where side gardens bound with the woodland the boundary will be hedgerow, details of which will be controlled by condition. This is considered to be in accordance with the Design Code and the advice of the Environment Agency.

#### Legal Agreement

28. A legal agreement attached to the outline permission secures affordable housing provision across the site. This will not be provided on this small parcel which has a character of larger dwellings but the developers will still need to incorporate the requirements across the other parts of the site. The legal agreement also secured a transport contribution, on-site public open space, management details, highway improvements and reserves a school site for a set period if it is needed amongst other things.
29. The infrastructure and affordable housing provision related to the site has therefore already been secured through the outline permission.

#### Trees and Landscape

30. The site is surrounded by trees and a Biological Heritage Site BHS. These issues were

extensively discussed at outline stage. In terms of this reserved matters application the important issue is the interface between the site and the surrounding woodland. The properties will front onto the Fire Pond to the south and the woodland to the east avoiding the need for boundaries with the woodland. There will be six plots that are side on to the woodland (10, 19, 29, 28 and 41) and therefore require a boundary treatment to enclose their rear gardens. This will be in the form of a native hedge incorporating a steel post and wire fence to be secure, but also in keeping with the woodland setting. This is considered acceptable and is in line with the Design Code on boundary treatments.

#### Traffic and Transport

31. The site is accessed from one point of the main spine road running through the development. This will then divide into two shared surface cul-de-sacs.
32. Six dwellings will be accessed from the main spine road, however the Design Code doesn't rule this out and the indicative layouts within the Code document do show such an arrangement and it is therefore considered acceptable subject to them having the correct parking levels.
33. The Council's parking standards require 2/3 bed properties to have two parking spaces and 4 bed properties to have three spaces. Garages do count providing they are large enough to be a usable space. Amended plans have been received so that all plots meet the Council's parking standards, although one house type (The Lewis) has a garage slightly below the normally required garage width of 3m, it is only just short at 2.8m, it is therefore considered it can be counted as a parking space. LCC Highways find the layout and parking acceptable.
34. Garages counted as a parking space will be conditioned to prevent them being converted without express planning permission being granted.

#### Contamination

35. The site has been the subject of a separate application for remediation (ref: 09/00095/FULMAJ) and is not therefore a matter for this application. A precautionary condition is proposed that if during the earthworks exercise further contamination is found in close proximity to the streams and reservoir then the risk to controlled waters be re-assessed.

#### Drainage and Sewers

36. A drainage strategy in relation to surface water and flood risk forms part of the Design Code based around the current natural drainage catchments on the site, the aim of which is attenuating surface water runoff for all events up to and including a 100-year event, plus a 20% allowance for climate change and attenuation within the site for runoff above the existing 1-year, 15-minute runoff rate. There will be provision of attenuation on site in existing ponds with an additional attenuation feature in the northwest of the site. Standard piped drainage within the site will drain surface water runoff from hard standing areas to the attenuation areas.
37. A condition will be applied requiring specific details to be submitted for this parcel.

#### Sustainability

38. The proposal is a Reserved Matters application and therefore condition 16 of the outline permission for Group 1 (08/00910/OUTMAJ) requires details of how the proposal will meet the requirements of Policy SR1 that was in force at that time to be submitted. This policy is no longer in force, having been replaced by Policy 27 of the Core Strategy which is slightly different. Therefore it is considered that a condition be applied to the permission relating Policy 27.

#### **Overall Conclusion**

39. The principle of the development has already been established by outline permission 08/00910/OUTMAJ. The proposal is considered to comply with the Design Code for Group 1. Amended plans have been requested in relation to interface distances. This will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

## **Planning Policies**

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN2

## **Planning History**

08/00910/OUTMAJ. Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Permitted December 2009.

## **Recommendation: Permit Full Planning Permission Conditions**

- 1. If during the earthworks further contamination is found in close proximity to the streams and reservoir (that has not been covered by the existing remediation strategy at the site) then the risks to controlled waters will need to be re-assessed. If so the development shall cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority and the development shall then only be carried out in full accordance with the approved remediation proposals.**

*Reason: Shallow groundwater has been found as perched water bodies within the made ground and granular layers within the glacial clays. Hotspots of contaminated groundwater have been identified. However, there is no evidence of a continuous shallow groundwater body that is in continuity with the surface waters at the site. To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use, in accordance with Paragraph 121 of the National Planning Policy Framework.*
- 2. The development hereby permitted shall not commence until full details of foul and surface water drainage arrangements including a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first occupation of any dwelling on the site and retained and maintained as such at all times thereafter.**

*Reasons: To reduce the increased risk of flooding and in accordance with Policy No. EP18 of the Chorley Borough Local Plan Review.*
- 3. The development hereby permitted shall not commence until samples of all external facing materials to the proposed building(s) (notwithstanding any details shown on previously submitted plan(s) and specification) 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. GN5 and HS4 of the 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. Before the commencement of any particular dwelling, full details of the onsite measures to be installed and implemented for that property to reduce carbon emissions of predicted energy use by the figure set out in Policy 27 of the Core Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the predicted energy use of the development expressed in terms of carbon emissions and how energy efficiency is**

addressed. The approved details shall be implemented in full and retained thereafter.  
*Reason: To ensure the development is in accordance with Government advice contained in the NPPF and Policy 27 of the Core Strategy.*

6. Each dwelling hereby permitted shall be constructed to achieve the relevant Code for Sustainable Homes Level required by Policy 27 of the Core Strategy (Level 3 for all dwellings commenced from 1<sup>st</sup> January 2010, Level 4 for all dwellings commenced from 1<sup>st</sup> January 2013 and Level 6 for all dwellings commenced from 1<sup>st</sup> January 2016).

*Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.*

7. 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. 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 the NPPF and in accordance with Policy 27 of the adopted Core Strategy.*

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A) or any Order revoking or re-enacting the Order, no extensions shall be undertaken that would be built off the rear elevation of the conservatories approved under this permission (for clarity the rear elevation is defined as the elevation of the conservatories facing the rear boundary of the properties, parallel with the rear elevation of the dwelling), without express planning permission being granted.

*Reason: To protect the amenity of adjoining properties and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.*

9. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on the approved plans) shall have been submitted to and approved in writing by the Local Planning Authority. 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 Nos. GN5 and HS4 of the Chorley Borough Local Plan Review.*

10. 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 and Policy 17 of the Core Strategy.*

11. Before the dwellings hereby permitted are occupied the driveways and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways 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.*

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting that Order, with or without modification), no windows/dormer windows other than those expressly authorised by this permission shall be inserted or constructed at any time at first floor level or above in the northwest elevation of the Hilliard House Type on plot 29 hereby permitted.

*Reason: To protect the amenities and privacy of the adjoining property on plot 40 and in accordance with policy HS9 of the Adopted Chorley Borough Local Plan Review.*

13. The integral/attached or detached garage(s) of any properties hereby approved that have 4 or 5 bedrooms 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, unless the property still has three off-road parking spaces.

*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 of the Adopted Chorley Borough Local Plan Review and to safeguard the visual amenity of the area in accordance with Policy 17 of the Core Strategy.*