

**Item A. 1**                      **06/00077/REMAJ**                      **Approve Reserved Matters**

**Case Officer**                      **Mr Simon Pemberton**

**Ward**                                      **Chorley South East**

**Proposal**                              **Reserved matters application for the construction of residential development comprising 56 dwellings, open space and associated infrastructure (04/01457/OUTMAJ).**

**Location**                              **Land Off Little Carr Lane Chorley Lancashire**

**Applicant**                              **Persimmon Homes (Lancashire ) Ltd**

**Proposal:**                              This reserved matters application proposes the construction of residential development comprising 56 dwellings, open space and associated infrastructure. The application is submitted pursuant to outline approval for residential development (reference 04/01457/OUTMAJ). The outline application included details of access only, which was proposed from Little Carr Lane. This application was approved by decision notice dated 5 October 2005.

The site extends to 1.29 hectares adjacent to Little Carr Lane and is roughly triangular in shape. The site is currently in an undeveloped, natural state with groups of trees in various positions on the land and shrub vegetation covering large areas of it. The site was previously part of the land adjoining the Former Vertex Training and Conference Centre (VTCC), and is accessed by the access road to the training centre.

There is a row of mature trees along the north eastern site boundary opposite the Marconi factory site and adjacent to Little Carr Lane. These were made the subject of a tree preservation order during the consideration of the outline application. The site is predominantly lower lying than the adjacent highways. The site excludes a triangular shaped segment of land adjacent to the access to the adjacent training centre site and a sub-station.

The proposed development comprises a total of 56 dwellings. These have been arranged around the periphery of the site to present an open estate with a small area of public open space in the centre that is overlooked by all the properties. The dwellings themselves comprise of 2 – 4 storey terraces and apartments. Two apartment buildings are located at the entrance to the site. These are predominantly 3 storey, with some further accommodation provided in part of the roofspace. Each apartment block incorporates 17 apartments, 15 of which are two bed, 2 are 1 bed. The remaining dwellings are a mix of 3 and 4 bedroom properties.

**Policy:**                                      The majority of the site is allocated as a housing site in the Chorley Borough Local Plan Review under policy HS1 (allocation HS1.22a). However, the outline application site included land to the south that is allocated for employment and industrial use under policy EM1 of the Local Plan (allocation ref: 16 Red Bank – 3.4 hectares). The housing land allocation is upon 0.8 hectares. The encroachment of the application site into the allocated employment

land is by a strip of land measuring 130m x 30m (approximately 0.4 hectares).

However as the principle of residential development has already been established the policies in the development plan that are relevant to the application are limited to those relating to the details submitted with the application.

In this respect the following policies are directly applicable:

**Regional Spatial Strategy (RPG13)** – DP3, ER2, ER5, and ER6.  
**Chorley Borough Local Plan Review 2003** – GN5, EP2, EP4, EP9, HS4 and TR4  
**Joint Lancashire Structure Plan (2005)** – Policy 21

In addition the Council has published Supplementary Planning Guidance on “Planning Guidelines for Trees and Development” and “Design Guidance” which is also relevant to the consideration of the application.

**Planning History:** The only application of immediate relevance to the current proposal is the outline planning permission that has been granted on the site and referred to above.

**Consultations:** Comments have been received from the following organisations:

**British Coal** - Standing advice

**County Strategic Planning** - Raise no objections at this time.

County Highways - No objection subject to confirmation of the Section 106 agreement to facilitate the construction of the Eaves Green Link Road.

**CBC Highways/Drainage** - Some reservations about the scheme in terms of layout, access to parking

**County Ecologist** – Considers that additions and amendments need to be made to the on site mitigation / compensation need to be made. That water vole protection measures should be submitted and agreed prior to the commencement of development

**MAPS** – No comments on the initial proposal, however wishes to see the bin stores to be of substantial construction, ensure that boundary fencing is at least 1.8m in height and has some reservations about the position of the parking for plots 27 and 28.

**CBC Landscape** – No objections in principle to the application, although some detailed comments on the landscaping scheme

**Representations:** A single letter of representation has been received from a nearby resident in response to the consultation exercise. This letter raises the following concerns:

- Increased traffic on Carr Lane causing a danger to other road users and pedestrians
- Inability of local facilities (schools, doctors and shops) to accommodate the proposed development
- Loss of green land
- Impact on wildlife

- Noise, disturbance, loss of light and privacy through the building work and increased traffic

**Assessment:**

The consideration of this application, being a reserved matters application, is limited to details related to those matters being applied for. This includes the siting, design, and external appearance of the proposed dwellings. As a consequence, it is largely the design and layout of the proposed development that is to be considered.

The site is situated to the south of Chorley in an area of varied uses including industrial and residential use. This part of the town developed during the 20<sup>th</sup> century and thus displays a number of differing spatial characteristics. However, the over-riding streetscape form is that of suburban sprawl, essentially made up of a combination of semi-detached houses and bungalows. Immediately to the south of the site is an area of open landscape that provides a termination to this urbanisation and thus will require any development on this site to relate comfortably in a varied contextual state.

The approach taken by the applicant has been largely influenced by the triangular nature of the site and the substantial belt of perimeter trees. The initial layout of the site proposed by the applicant was considered to be unacceptable. There has subsequently been extensive negotiation with the applicant to create an acceptable design solution.

Because of the surrounding trees it has not been practicable to create a development that faces towards the existing highways. Rather, the proposals are oriented around a residential cul-de-sac allowing the mature trees to dominate the private garden areas and retain much of the site's existing appearance in views from the immediate locality. Where possible open spaces have been created on site frontages to facilitate the long term retention of the trees and the open and sylvan character of the site.

The entrance to the site from Little Carr Lane passes through the tree belt, at a position agreed on the outline planning application. This passes between a pair of apartment blocks angled to form a visual gateway into the development. The blocks are of 3 storey height where they face the entrance, reducing to 2½ storeys where they lead into the site. Apartments have been used in this location to facilitate an open frontage as they will not have an enclosed curtilage but will rely on the surrounding open land for their amenity space.

The remainder of the development with few exceptions, is of short terraces of 2 and 2½ storey houses laid out around, and providing visual enclosure of, a central public space within which is the pedestrian and vehicle access and landscaped amenity open space.

The elevations to the buildings defining this space are all oriented towards it, with main doors and windows contributing to a traditional street scene and providing for natural surveillance of the public areas.

The dwellings utilise a restricted number of house types which will help meet the housing needs of a wide a range of future occupiers.

A simple palette of materials will be required with a good quality red brick and slate to relate to typical materials for the area including surrounding developments. This can be the subject of an appropriate condition.

The proposed house types are mixed within the short terraces to provide variety and visual interest within a consistent theme of traditional pitched roof construction, form and facing materials. The house types have been amended to ensure that detailing is consistent across the dwelling types, with special attention being paid to dormer design. Brick detailing, for instance contrasting string courses, is carried across the elevations and the scale, form and design of doors, fenestration and balconies also contribute to the unity of the elevational treatment. Garage doors are set back from the face of the elevation to bring additional relief to the front elevations.

There is clear differentiation between public and private domains within the layout with a good degree of overlooking / natural surveillance of public areas. The landscaping scheme has been amended to take account of the revised layout and the context of the site and builds upon the mature trees which will be visible above and between buildings.

As such it is considered that the proposed layout and design of the properties is acceptable.

Whilst this is a reserved matters application relating to outline planning permission 04/0147/OUTMAJ. Condition 4 of that outline consent requires full details of mitigation measures to be implemented with regard to protected species, and proposed phasing measures, to be submitted as part of the reserved matters application. A report was submitted during the course of the application prepared by AMEC (May 2006). The purpose of this was to assess the existing nature conservation value of the site and incorporate within the design and layout measures to maximise the nature conservation value of the site.

An effort has been made in the scheme layout to create the largest possible area of mesotrophic grassland within the area of managed open space to replace the existing habitat. However the County Ecologist advises that the specific guidance given in the Joint Lancashire Structure Plan Supplementary Planning Guidance on Landscape and Heritage should be followed. Accordingly, the applicants have amended their planting proposals for the managed open space. Wherever possible North West England provenance seed sources will be used.

As part of a residential development there is very limited scope to connect all areas of managed open space on site with areas of natural habitat outside the site. Notwithstanding this, connectivity will be maintained along the wooded margins of the site to the south west and the south east.

The existing site, being low lying is quite damp. It is proposed to create a pond within the site with marginal areas to seek to recreate to some extent this habitat. While some marginal areas of mesotrophic grassland in the west of the site will be shaded, the majority of pond, damp and drier mesotrophic grasslands within the area of managed open space will not be shaded. The

applicant intends to put in place a programme of arboricultural works prior to the creation of pond, damp and drier mesotrophic grassland habitats to trim overshadowing branches which maintaining aesthetically pleasing shape to perimeter trees.

While a proportion of the perimeter trees will be located in the gardens of properties, there remain a number of trees within the managed open space in the east of the site and the sewer easement in the west abut directly onto adjacent green space.

The survey report identified the possible presence of water dock (*Rumex hydrolapathum*). The applicant advises that a further visit to site to collect voucher specimens of the plant identified in the AMEC May (2006) report as water dock will be sent for positive identification to Dr Hugh McAllister who is the Curator of the Herbarium at Liverpool University's Ness Botanic Gardens. Should the specimens be positively identified arrangements will be made for the retention of this species, through translocation, into the marginal aquatic habitat proposed in the managed open space of the site.

Whilst the site is some distance from any appropriate habitat, there has been some debate as to the presence of water voles on the site. The burrows of which are protected in UK law. The applicant advises that despite further survey for water voles in 2006, there was little evidence to confirm their presence on site. The general conclusion from the 2006 survey was that if there had been a very small population of water voles on site in 2005 (one or two individuals at most), their general isolation from any permanent water body and the distance of this corner of the site from damp ditches and areas of damp grassland off site further south may have led to them evacuating the site.

It was proposed in the AMEC May (2006) report that precautionary mitigation for water vole should be carried out on site. Taking on board Lancashire County Council's comments, this would involve four elements which will follow the guidance provided by Strachan (1998), each of which would be agreed in advance with Lancashire County Council's Ecologist and with Chorley Borough Council:

- (a) A water vole survey prior to the start of construction activities on site,
- (b) If signs of water vole are discovered during that survey, mitigation measures to protect water vole during the construction phase would be agreed,
- (c) If signs of water vole are discovered during the survey, mitigation measures would be agreed to enhance a receptor area for water voles, temporarily isolating the area from the rest of the site during construction works and translocating water voles into this area, and
- (d) Detailed design of water vole habitat would be agreed, associated with the new pond and damp grassland on site.

This is a matter that could be appropriately conditioned.

In relation to highways, this is a heavily constrained site with peripheral trees and a fixed access point. This severely restricts the options in relation to the detailed highway alignment. The initial concerns of the Local Highways Authority have largely been addressed in the revised proposal. The constraints arising from

the shape of the site the need to protect its peripheral trees as well as meeting standards for space around dwellings and open space provision means that any significant change to the horizontal alignment on-site highways will require a redesign of the whole scheme, which is neither appropriate or justified at this late stage. As such it is considered that the proposal represent a satisfactory compromise between the competing interests and constraints on the site

**Recommendation:** On balance, and bearing in mind that the principle of the development has already been establish with the approval of the outline planning permission, it is considered that subject to appropriate conditions pertaining to materials and nature conservation, that the proposal represents an acceptable form of development. The application is therefore recommended for approval subject to the following conditions:

**Recommendation: Approve Reserved Matters**  
**Conditions: –**

1. Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved unless otherwise first agreed in writing by the Local Planning Authority.

*Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy GN5, of the Chorley Borough Local Plan Review (2003).*

2. During the construction period, all trees to be retained shall be protected by fencing in accordance with BS5837 (2005): 'Trees in Relation to Construction' as set out in the tree survey hereby approved. Such fencing shall be erected in its entirety prior to any other operations taking place on the site. This fencing should be considered sacrosanct and should not be breached or removed during development. Furthermore within the areas so fenced the existing ground level shall be neither raised nor lowered and there shall be no development or development-related activity of any description including the deposit of spoil or the storage of materials unless expressly agreed by the Local Planning Authority.

*Reason: To safeguard the trees to be retained and in accordance with Policies EP9 and HT9 of the Chorley Borough Local Plan Review (2003).*

3. No development shall commence unless and until the nature conservation investigation / survey work in accordance with the details submitted pursuant to condition 4 of the outline planning permission have been agreed in writing with the Local Planning Authority and implemented in full, or in accordance with the agreed timing. No dwelling shall be occupied until all those works have been completed.

*Reason: In order to secure the nature conservation interest of the site in accordance with condition 4 of the outline application and policy 21 of the Joint Lancashire Structure Plan (2005) and GN5 of the Chorley Borough Local Plan Review 2003.*

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