

Item 4a **12/00895/FULMAJ**

Case Officer **Caron Taylor**

Ward **Heath Charnock And Rivington**

Proposal **Residential development of 14 no. two-storey 4 and 5
bedroom detached houses**

Location **Land 80m south west of Appenzell Babylon Lane Heath
Charnock Lancashire**

Applicant **Bloor Homes Ltd - North West**

Consultation expiry: **18 October 2012**

Application expiry: **17 December 2012**

Proposal

1. Residential development of 14 no. two-storey 4 and 5 bedroom detached houses.

Recommendation

2. It is recommended that this application is refused planning permission.

Main Issues

3. The main issues for consideration in respect of this planning application are:

- Principle of the development
- Density
- Piecemeal Development and Affordable Housing
- Levels
- Impact on the neighbours
- Design
- Open Space
- Education
- Trees and Landscape
- Ecology
- Flood Risk and Drainage
- Traffic and Transport
- Contamination and Coal Mines
- Sustainability
- Overall

Representations

4. 91 letters of objection have been received on the following grounds:
- The area proposed for housing development is currently Safeguarded Land, treated as Green Belt;
 - Rural infilling in this area of open countryside would adversely affect its character, changing it from semi-rural to urban;
 - The land supports local wildlife and offers grazing for deer, which come down from the West Pennine Moors. The quiet rural nature and views of the area would be lost forever as mature trees and shrubs would need to be removed to clear the site for development;
 - This is a significant loss of amenity to local residents. When an access road was created a few years ago the developers, rather than transport the soil off site, piled it up on either side of the road. This artificially raised land levels on the development site in question;

- two-storey houses would effectively be the height of three storey properties because of this because of the levels. This would result in overlooking and would cause a loss of light and privacy with roof heights above the levels of surrounding properties;
- There would also inevitably be noise and disturbance with the size of development proposed;
- Cottage residents on Babylon Lane and adjacent side roads such as Factory Lane have no allocated parking and therefore park on the length of Babylon Lane. Parked cars mean that the lane has effectively become a single track road where vehicles must give way to oncoming traffic. The proposed development would require vehicular access onto Babylon Lane adding to the road congestion, which is most severe on band practice evenings when vehicles park along both sides of the road and around the point where it bends. With the close proximity to the primary school on Babylon Lane, this would pose a further road safety risk;
- The amount of housing development in Chorley currently underway, and in the pipeline, is immense. Looking at Adlington/Heath Charnock in particular the amount of the proposed development for the parishes is grossly disproportionate to other areas in the town. They question the need for additional housing when cottages and detached dwellings alike, along the length of the Babylon Lane, are not selling. Surely it is the duty of the Council to check the unrestricted sprawl of built up areas; safeguard the countryside from encroachment; preserve the setting and character of historic towns and assist in urban regeneration by encouraging the recycling of derelict and other urban land, rather than using green belt, which once lost cannot be replaced;
- Last year, this site was put in the draft LDF for development and changed from the safeguarded status it had enjoyed for a number of years. More than 450 people objected and the site has been removed from the final draft. Now a developer tries to pre-empt the views of the local population. The village has had several hundred houses built on Fairview over the last decade as well as other developments. There is already two active sites in the village with almost 100 house;
- As a resident of Babylon Lane the area is already over-crowded with cars. The terraced houses have no parking and it can take a long time just to get to the top of the road in a vehicle. It's a very busy road and cannot cope with the amount of traffic it already has. Adding to this is putting at risk the children who use the Primary School on Babylon Lane. The speed limit is rarely adhered to in the 20mph and 30mph sections, with speeds in excess of 60mph being reached along the section of main road being primed for development;
- The current application for development of 14 houses on the land that lies between Springfield Mews and the access Road for Appenzell is opportunistic and I believe founded on a bizarre and I believe incorrect planning inspectors decision regarding Clancutt Lane. It would seem inappropriate for the inspector in that decision to seek to open up other sites for application when the Council has already considered the merits of the site in question and chosen to treat it as Safeguarded Land in the current plan and remove it from the site allocations in the next proposed plan. The Council should consider it to be contrary to current approved policy and also counter to the emerging policy which is now at an advanced stage;
- Current guidance clearly requires planning authorities to presume against development on Safeguarded Land and only to consider a change in that status as part of a full review of the overarching local plan which Chorley has done and chosen rightly to remove the site from the list identified for development. In this instance the correct process is to review the status of the site as part of the Core Strategy review and any application in advance of full adoption of the new plan that should be rejected as both premature and contrary to policy particularly as the emerging policy position for this site is for it not to be developed;
- Chorley has seen and continues to see significant housing development and is able to demonstrate it is meeting housing targets and evidenced need without any requirement for this site to be developed. The target of 417 dwellings per annum for the next plan period can be accommodated on other sites already identified without the need to approve development on this site;
- The site is home to significant wildlife and to lose this site for more housing that is not meeting any identified need;

- If granted it will be an inevitability that the remaining land running to Greenhalgh Lane and containing the band rehearsal room would be subject to applications for development almost immediately compounding the problem;
- There exists a 'village green' feel to the green field area bordered by The Appenzell, Babylon Lane and Greenhalgh Lane, for generations local residents have enjoyed this land for its informal 'rights of way', recreational use and aesthetic appeal; many residents regard it as a vital area of peace, tranquillity and pastoral charm which has added to the overall appeal of Heath Charnock.
- How can the planning application go through before the Housing Allocation Strategy has been out to consultation, accepted and adopted?;
- This specific housing developer has only submitted an Energy assessment. I expressed concerns to the LDF with regards to the lack of sustainable housing. The Council response to my LDF comments refers me to sustainable resources DPD and SPD – I would suggest this type of development which uses traditional materials; primarily 'reconstituted stone' (concrete) and cement, is not a sustainable per say.
- There is no 'affordable housing' proposed;
- The development will be out of keeping with the 100 year old stone cottages on Babylon Lane;
- Japanese Knotweed is adjacent to a private road and will spread without action. It is an offence to spread it under the Wildlife & Countryside Act 1981;
- The area has always been vegetated land, and has generally coped with the amount of water it receives. They are concerned with the impacts of built development and the long term sustainability of placing storage water tanks in the ground (which development of this scale here would be considered likely to need);
- The current bus service up Babylon Lane is not frequent enough to encourage people to use it.
- The 'Safeguarded Land' term is misleading – most people assume this to be followed by 'from', not 'for';
- The proposed development does not reflect or retain the rural nature of Babylon Lane. The east side of Babylon Lane is characterised by varying height stone masonry walls directly alongside the highway; this theme continues from Greenhalgh Lane, northwards to the junction of Babylon Lane and Long Lane, adjacent to the Bay Horse Public House. The proposal seeks to remove this important rural feature and de-characterise it;
- The submitted Street Scene is incomplete. It does not correctly reflect the slope or change in level across the existing site. In addition, the Street Scene should include existing adjacent buildings and demonstrate the relationship in height, massing and appearance of the proposed new development and its visual impact on existing properties. The submitted Street Scene fails to show any existing features, buildings or relationship between existing and proposed;
- The proposed access is the retention of Whitebeam Close, currently a private drive, serving a limited number of dwellings. The increase in vehicular traffic generated by this proposed development would require improvements to this driveway in order to meet the required public highway standards. Review of the forward visibility for vehicles exiting the development shows inadequate visibility of southbound traffic approaching the site entrance. There is a substantial stone wall north of the development and outside the site boundary; this wall is located directly alongside the carriageway. In addition, unrestricted parking allows vehicles to park on the southbound carriageway; parked vehicles further impede adequate visibility and would, therefore, result in sub-standard highway safety with regard to vehicles exiting Whitebeam Close;
- The development of 4 and 5 bedroom detached dwellings is out of keeping with the 2 and 3 bedroom terraced properties which typify the east side of Babylon Lane;
- The land in question is raised up higher than Babylon Lane. Therefore these 2 storey houses will stand up and loom over the other properties and land around the site;
- Smaller cottages or bungalows would be better suited and fit in with the village location;
- Stone walls also need to be retained as they are a key feature of this part of the village;
- The properties will overlook the properties on Stonegate Fold;
- The development will increase runoff increasing flooding;
- The proposal will impact on a public Right of Way.

Cllr Case objects on the following grounds:

- It would be to totally change the essence of the local community .These two fields are a small green belt between Anderton and Heath Charnock, linked by a beautiful dry stone wall;
- The centre of this land was granted in perpetuity by Leonard Fairclough for a Band Hut [on the land to the south of the application site] for the Rivington and Blackrod Band and they understand there are still trustees who must be aware of their responsibility to enhance the music opportunities which this Band creates for young people;
- Through the land lies the major UU water main for the community and some of the utilities for Newlands run through from the land adjacent to Appenzell;
- The land slopes hugely down to Greenhalgh Lane; when Lindsey Hoyle and I were endeavouring some many years ago to find a parking area for the many, many cars which presently park on Babylon Lane as so many of the homes have no back access for parking, this land was deemed by planners to be unsuitable for a car park so how can it now be appropriate for housing?;
- Modern housing will be a blot on the landscape of the stone houses and cottages;
- The parking needs of the present community are horrendous

Cllr Kim Snape objects on the following grounds:

- The majority of Babylon Lane already has very serious vehicle parking issues. Further vehicles from new properties can under no circumstances be accepted as this will increase the serious danger that the lane already poses with congestion;
- The development will destroy local green amenity to residents and impact on public rights of way;
- The housing is not needed in the area, there are other sites in Adlington close by that are proposed for building e.g. Bolton Road and will fulfil the required housing numbers. There is 5 years of allocated housing development land waiting to be built on;
- The majority of housing on Babylon Lane is terraced houses, this proposal is for 4/5 bed homes. This is totally not in keeping with the area;
- The land floods on a regular basis and drainage for nearby properties at Newlands and Appenzell runs through the land. This could potentially create havoc for the potential new homeowners and residents whom have lived there for years;
- An application for a granny type building at Appenzell was last year turned down due to the fact that it would spoil the open nature of the area – it is therefore crazy 12 months later than we can be proposing building 14 houses in this locality;
- The schools and doctors in the area are oversubscribed and unable to cope with further in take;
- Public transport in the area is abysmal – residents have one service to and from Chorley on a Tuesday and Friday, which therefore confirm there will be an increase in cars coming down the lane from the development.

1 letter of support has been received on the following grounds:

- They are shocked by some of the comments which all appear to be NIMBY type responses. The area needs more development to help the local economy and the proposed development is in an area that is already largely developed with mixed style housing and so would seem a perfect site for development. They consider what is proposed is in line with The Framework and is precisely the type of development the government were trying to encourage in difficult economic times. The area should be grateful that the applicants are happy to invest in this area at a time when most developers aren't investing and try not to encourage them to take their investment elsewhere.

Anderton Parish Council

4. Object on the following grounds:

- It would reduce the amenity value of the green space within what is already a considerably built-up area;
- It would further add to the road traffic problems associated with Babylon Lane i.e. volume of traffic, parking and congestion;
- The construction of the properties would have an overbearing effect on existing nearby properties;

- The parish council understands that the site is located within a proposed 'safeguarded' area of land and anticipates that this will be reflected when considering the application.

Heath Charnock Parish Council

5. Object on the following grounds:
 - The land is currently designated as "safeguarded" for consideration for possible development in the future;
 - Further development would generate traffic and exacerbate the present traffic problems on Babylon Lane, which are considerable;
 - There has been a great deal of building in the Adlington and District area and the infrastructure will not support increased development.

Adlington Parish Council

6. Objection on the following grounds:
 - A decision on the application should be deferred until the Lancashire Core Strategy/Allocation policies are finalised;
 - It will change the village character of Adlington;
 - There may not be adequate places available in local schools to cater for the increase in the population;
 - At present it has not been determined whether local medical and dental services and local Accident & Emergency facilities have adequate capacity to deal with the proposed population increases in Adlington and surrounding area;
 - There is very little local employment available;
 - It is uncertain whether Lancashire Constabulary has the resources to police the increased population, particularly in view of the fact that the local Police Station is closing and the Community Beat Manager is part time;
 - Highways in the village are busy, particularly at peak times, and this is exacerbated when there are problems on the M61 motorway and traffic is diverted through Adlington. This proposed development is likely to include multi-car households;
 - Traffic and parking is a problem on Babylon Lane which provides the only access to this site, and is a narrow country lane. The Town Council requests a site inspection by Lancashire County Council Highways should be undertaken before any development is considered, and that this should take place around school times when the traffic in this area is at its heaviest;
 - As there are no secondary schools in Adlington, this development, if permitted, would increase the number of car journeys made, and/or extra school buses would be required, both increasing the amount of traffic on the roads at peak times.

Consultations

Police Architectural Design and Crime Reduction Advisor

7. During the period 21/09/2011 to 21/09/2012 there has been criminal activity within the immediate vicinity of this location. This includes criminal damage to vehicles and burglary in a building other than a dwelling.
8. The Design and Access Statement makes reference to Secure Design and designing for crime prevention on pages 11, 14 and 15 in terms of natural surveillance and defensible space. The fencing plan is supported e.g. a mixture of green screen, 1.8m close boarded timber fence at the rear and 1.2m post and rail fencing at the front of dwellings.
9. Due to the fact that the proposed dwellings are high value homes there may be a potential risk of burglary and car key burglary therefore in order to prevent the opportunities for criminal activity at the development I recommend that properties be fitted with a number of features and the developer should consider the properties being developed to Secured By Design standards.

Environment Agency

10. Have no objection in principle to the proposed development but comment that surface water run-off should be controlled as near to its source as possible through a sustainable drainage approach to surface water management (SUDS). SUDS offer significant advantages

over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge absorbing diffuse pollutants and improving water quality.

Lancashire County Council (Highways)

11. Babylon Lane is a local access road with a 30mph speed limit. Whitebeam Close is adopted highway. There is a grass verge/service strip either side of the carriageway although there is no footway. Presently there is only the one footway on the opposite of Babylon Lane at the locality. At the back of the edge of the carriageway is a stone wall retaining up to 1.3m high with the stone coping. There is earth embankment behind the stone wall.
12. They are satisfied suitable access and layout can be achieved and therefore do not have any overriding highway objection to the proposed development in principle subject to Whitebeam Close being widened to 5.5m wide for a distance of 10m and then reduced to 5m wide, footways of 2m on Babylon Lane. This can be achieved via a Section 278 Agreement.
13. Babylon Lane is approximately 6.5m wide and the road is marked with a centre line. There is no footway on the north eastern side of Babylon Lane on approach to Whitebeam Close there is inclination for vehicles in the lead direction to be travelling slightly further away from the edge of the carriageway and stone wall than they would normally do thereby enabling greater clearance from the edge of the road. The provision of a new footway on either side of the access with the removal of the stone wall should enable improved visibility sightlines.
14. The new footway to the north will be extended as far as the north most limit of the site boundary line. However the small section of the stone wall and embankment beyond the site boundary and falling outside of the applicants control will be remaining and this is likely to interfere with visibility in the lead direction beyond this point. It is also likely a short section of the existing wall on the applicant's side will also need to be retained to stop the neighbouring wall from being undermined.
15. The road in the lead direction is on a downhill incline however owing to the lack of footway and the presence of on-street parking that takes place further north of the site, traffic speeds are not excessively fast and speeds are subjectively around 30mph.
16. The required visibility sightline for 30mph is for 43m distance along the major road and with a setback distance of 2.4m along the minor road. From site observations the achievable sightline following the footway improvements will be approximately 37m however allowing for a slightly reduced set back distance of 2.2m, owing to the greater clearance vehicles will be travelling from the edge of the road, they feel the sightline can be further improved to approximately 41-42m which should prove acceptable.

Chorley's Waste & Contaminated Land Officer

17. Request a condition, due to the size of the development and the proposed sensitive end-use (residential housing with gardens), requiring a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures to be submitted prior to development.

Lancashire County Council (Education)

18. Draw the Council's attention to impacts associated with the above development and propose mitigation for these impacts through a planning obligation. They request a contribution for 5 primary school places of £58,178 to provide education places within a reasonable distance of the development (within 3 miles) for the children expected to live on the development.
19. They state failure to secure the contributions sought would mean that the County Council cannot guarantee that children living on the development would be able to access a school place within a reasonable distance from their homes.

Applicants Case

20. The applicant has made a submission to the emerging Local Plan Examination Inspector stating that they consider it to be unsound and therefore that the emerging Local Plan should allocate sites such as Babylon Lane.
21. They state it is considered that the approach towards housing allocations in Adlington is inconsistent with the strategic approach for the distribution of housing and is not robustly justified. Adlington is expected to deliver 385 housing units, however this is unsound on the basis that the number of units to be delivered through allocations and existing commitments and the status of two of the allocations needs to be reviewed. Additional allocations are needed to address the shortfall, particularly as the Council does not have the historical evidence, required under the guidance of the National Planning Policy Framework (The Framework), to rely upon contributions from windfall delivery.
22. The site at Babylon Lane will contribute to addressing the identified shortfall in housing delivery. The site was identified in the previous Chorley Local Plan as 'Safeguarded Land', acknowledging its suitability for development. Considering there is an insufficient supply of appropriate housing sites within Adlington, as demonstrated above, the allocation of the site at this time is fitting and accords with the suitability of the site as identified in the previous Local Plan. The site is available and can be viably developed. The intention of the applicants is to implement any permission in the short term and therefore the site is assured of being brought forward in the early part of the plan period.
23. The Inspector, in the appeal decision at Clancutt Lane, Coppull (APP/D2320/A/12/2172036) noted that, in allowing that appeal, that Babylon Lane (and 3 other sites) may be vulnerable to applications as a result of his decision, but that applications on those sites would not be prejudicial to the overall aim of the Plan. The applicants believe that, not only would the allocation of the site for housing not harm the aim of the Plan, it would supplement and reinforce the ability of the Plan to achieve its core aims, not least of which is the allocation of appropriate and deliverable housing sites.
24. In summary, the landowner believes the site should be considered an appropriate housing allocation. It is immediately deliverable and would assist Chorley, in the immediate term, to address the shortfall in housing numbers within Adlington. The availability of this site should also be set in the context of the settlement, namely that the achievability of alternative non-allocated sites within Adlington is extremely limited.

Assessment

Principle of the development

25. The proposal is located on land designated as safeguarded by Policy DC3 (specifically DC3.8) in the adopted Chorley Local Plan Review. Policy DC3 states that development other than that permissible in the countryside under Policies DC1 or DC2 will not be permitted on Safeguarded Land.
26. There has been a number of appeal decisions on sites designated as Safeguarded Land, which are material considerations in the determination of this application. In the decisions for housing applications on Safeguarded Land at Clayton-le-Woods, Whittle-le-Woods and Coppull, Inspectors have concluded that Policy DC3 should be considered out of date and have afforded it limited weight in their appeal decisions. Therefore, although this proposal would be in breach of saved policy DC3 this policy must be read in the context of other material considerations that may be more up-to-date.
27. The application is on a 0.8 hectare part of a larger 2 hectare site that was allocated for 36 dwellings (HS1.29) in the Preferred Option version of the Site Allocations and Development Management Policies Development Plan Document (emerging Local Plan). However, this site was not allocated for housing at the Publication stage. It was re-designated to remain as Safeguarded Land (BNE3.4 Babylon Lane). The reason it was removed is that it was considered sufficient sites are identified via allocations in Policy HS1 and other non-allocated housing commitments to meet the housing requirement for Chorley as set out in Policy 4 of

the Core Strategy, with a small oversupply. It is considered the Council has identified sufficient deliverable or developable sites for the plan period as required by the Framework.

28. The emerging Local Plan has now been submitted to the Secretary of State. As at publication stage, the application site forms part of designated Safeguarded Land in this Plan (BNE3.4). Therefore, this proposal is considered contrary to the emerging Local Plan.
29. Paragraph 17 of the Planning System General Principles document states that in some circumstances, it may be justifiable to refuse planning permission on grounds of prematurity where a Development Plan Document (DPD) is being prepared or is under review, but it has not yet been adopted. This may be appropriate where a proposed development is so substantial, or where the cumulative effect so significant, that granting permission could prejudice the DPD by predetermining decisions about the scale, location, or phasing of new development which are being addressed in policy in the DPD. It also states that a proposal for development which has an impact on only a small area would rarely come into this category. This application is for 14 dwellings and it is not considered that it is so substantial, or the cumulative effect so significant, that granting permission could prejudice the emerging Local Plan by predetermining decisions about the scale, location or phasing of new development.
30. Paragraph 18 of the Planning System General Principles states that planning applications should continue to be considered in the light of current policies, but that account can also be taken of policies in emerging DPDs, with the weight to be attached depending upon the stage of preparation or review. It states that where a DPD has been submitted for examination, but no representations have been made in respect of relevant policies, then considerable weight may be attached to those policies because of the strong possibility that they will be adopted. It also states that the converse may apply if there have been representations which oppose the policy and that much will depend on the nature of those representations and whether there are representations in support of particular policies.
31. The National Planning Policy Framework (The Framework) provides further advice on the weight that can be given to emerging policies in Paragraph 216. It states that decision takers may also give weight to relevant policies in emerging plans according to three different factors:
 - The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
 - The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given);
 - The degree of consistency of the relevant policies in the emerging plan to the policies in the Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).
32. In terms of the first bullet point, the emerging Local Plan was submitted in December 2012. Therefore, the plan is at a very advanced stage, so can be afforded weight in relation to this bullet point.
33. In terms of the second bullet point, there were 474 objections to the allocation of this site at Preferred Option stage, 3 representations of support and 2 comments that did not express support or objection. Therefore, whilst there was some support for the allocation of this site, there was a very high level of objection. At Publication stage when the allocation was removed and the land re-designated as safeguarded, only 2 representations were received in relation to this land. One of which still objected to the land being allocated for housing, despite its change in designation. The other objected to the designation of the land as safeguarded and stated that it should be re-instated as housing land. This objector considered that the approach towards housing allocations in Adlington is inconsistent with the strategic approach for the distribution of housing, is not robustly justified and that there is likely to be a housing shortfall; however this is disputed by the Council.
34. Therefore re-designating the land as safeguarded would appear to have satisfied most of the Preferred Option stage objectors, as they have not objected at the later stage. There is

however one objection to this re-designation and the site is being considered as an alternative site for housing by the Inspector as part of the Examination of the emerging Local Plan.

35. In terms of the third bullet point, the Framework supports the identification of Safeguarded Land and the Council considers that relevant policies on housing are consistent with the Framework, so the emerging plan can be afforded weight in relation to this bullet point.
36. Although the Council accept that Adlington is identified as an Urban Local Service Centre where some growth and investment will be encouraged as Clayton-le-Woods, Whittle-le-Woods and Coppull were in the appeal decisions, the current application site differs from these sites (which were all proposed to be allocated for housing) as it is not proposed to be allocated at the Publication stage of the emerging Local Plan. It was removed because it was not considered that the site, which is green field, was needed for housing purposes. An Examination in Public of the emerging Local Plan is scheduled to take place in April/May.
37. The previous appeal decision is a material consideration in determining this application, however in terms of this site the situation is slightly different in that the site is not proposed to be allocated in the emerging Local Plan, but rather remain as Safeguarded Land. Although there is one objection to retaining the land as safeguarded, on balance considering paragraph 216 of the The Framework, as assessed above, it is considered weight can be given to the emerging Local Plan and its retention of the land as safeguarded.
38. As policy DC3 of the current Local Plan has been found to be out-of-date at appeal, therefore paragraph 14 of The Framework must be considered.
39. Paragraph 14 of The Framework states that where the development plan is absent, silent or relevant policies out of date, permission should be granted unless:
 - Any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or
 - Specific policies in the Framework indicate development should be restricted.
40. However, although it is accepted that Policy DC3 is out-of-date, the emerging Local Plan is not absent, silent or out of date as weight can be given to it. The proposal is therefore considered contrary to the emerging Local Plan. In addition Chorley has an adopted Core Strategy with a range of up-to-date policies which should be given weight in the determination of this application. Core Strategy policies in relation to density and affordable housing are relevant to this application and are referred to in the sections below.
41. There is no urgent need to develop this site in terms of housing supply as the Council has a deliverable five year housing supply plus 5%, which was accepted by the Inspector in the Lucas Lane, Whittle-le-Woods appeal decision. Housing development is under construction and has been permitted on alternative sites in Adlington. Therefore, there is no urgent need to approve this site to meet borough-wide or Adlington housing requirements. Although he comments of the applicant are noted the Council considers it has allocated sufficient land in Adlington in the emerging Local Plan to meet longer term housing requirements.

Density

42. The site area is 0.8hectares on which a total of 14 properties are proposed which is the equivalent of 17.5 dwellings per hectare. The surrounding residential area is comprised of a mix of dwelling types including terraced, semi-detached and detached houses. At the Preferred Option stage of the emerging Local Plan process 36 dwellings were proposed on the wider HS1.29 site allocation (2 hectares), based upon 30 dwellings per hectare on a net developable area of 60%. The relatively low net developable area was assumed predominantly to take account of trees with preservation orders and the bandstand on the land to the south of the application site. The application site is a greenfield site and the proposed density of 17.5 dwellings per hectare is not considered to represent the efficient use of this land. The layout shows 14 large detached properties and it is not considered that there are material considerations that require the density to be this low, for example, in terms of design in relation to being in keeping with the surrounding properties. The proposal is

therefore considered to be contrary to Policy 5 of the Core Strategy in that it does not make efficient use of the land.

Piecemeal Development and Affordable Housing

43. No affordable housing is proposed as part of this application. Policy 7 of the Core Strategy specifies that the minimum site size threshold for affordable housing is 15 dwellings (0.5 hectares or part thereof). The number of units proposed (14 units) is less than the numerical threshold of 15 units, which is a consequence of the low density proposed on the site. However, this site is 0.8 hectare in size and is therefore over the 0.5 hectare site size threshold in the Core Strategy which requires 30% affordable housing to be provided.
44. The application is on a 0.8 hectare part of a 2 hectare site that was previously allocated for 36 dwellings as a whole (HS1.29). It is therefore considered that the proposal would result in piecemeal development of the wider Safeguarded Land site as it would involve the development of the northern portion of the Safeguarded Land, leaving the southern portion which is closer to the centre of Adlington and most of its amenities undeveloped. However the application site is separated from the land to the south by the access to Appenzell and Newlands. Therefore it is not considered if the application site was developed separately from the wider safeguarded site it would cause harm in terms of piecemeal development.
45. The proposal is therefore considered contrary to Policy 7 of the Core Strategy in that it will result in piecemeal development avoiding the need to provide affordable housing, but also that the size of the site is above the size threshold of 0.5 hectares and therefore affordable housing should be developed on site. The provision of affordable housing was a material consideration in determining the applications detailed earlier, both by the Council and those allowed at appeal referred to earlier in this report.

Levels

46. When Springfield Farm was converted to residential properties in the early-mid 1990s (ref: 90/00585/FUL) material from construction of the road (Whitebeam Close) which goes through this application site and would serve the proposed properties was deposited on the land. It is therefore raised in relation to Babylon Lane and the surrounding land with the road cut into it at a lower level. The applicant has provided cross-sections through the proposed layout showing the re-contouring of the land to accommodate the properties and avoid them being extremely elevated in relation to the surroundings. This is considered acceptable and the finished floor levels of the properties and ground levels of the site could be controlled by a planning condition.

Impact on the neighbours

47. There are residential properties immediately adjoining the site to the north and on the other side of Babylon Lane on Stonegate Fold.
48. The nearest plots to the properties on Stonegate Fold will be 1-3 and plot 14. Plots 1-3 will face towards Babylon Lane with an access road immediately to the front of them. Plot 1 will face towards the rear of numbers 12 and 14 Stonegate Fold which back onto Babylon Lane, the nearest of which is number 12, but this property is set at an angle to the proposed property on plot 1 so the windows in these properties will not directly face one another. There will be over 23m from the front windows of the proposed property and the boundary with the rear garden of number 12. Number 14 is set further back from Babylon Lane and there will be 22m to its boundary and over 35m to its rear windows. All of the above exceed the Council's interface distances taking into account the finished floor levels of the existing and proposed properties.
49. Plots 2 and 3 will face towards the rear of number 9-12 Stonegate Fold, but the nearest distance will be over 23m to the boundary with these properties and over 30m between facing windows. All the interface distances exceed the Council's guidelines taking into account finished floor levels.
50. Number 1 Stonegate Fold is side onto Babylon Lane, as is the proposed property on plot 14, therefore there will not be unacceptable overlooking between these properties.

51. To the north of the site are Springfield House, Cottages and Farm and Springfield Mews.
52. The property on proposed plot 12 will be positioned opposite 1 and 3 Springfield Cottages and Springfield Farm, but the nearest part of it will be a single storey detached double garage. There will be 17.5m between the front windows of the existing properties and the side of the detached garage and over 25m to the side of the proposed property itself on plot 12 which exceeds the interface distance guidelines and is therefore considered acceptable.
53. Plots 9 and 11 will be sited adjacent to the properties on Springfield Mews. The proposed property on plot 9 will be situated side on to the properties with a detached single storey double garage with driveway the nearest part of the property opposite the existing properties. There will be over 21m between the side of the garage and the windows in the properties on Springfield Mews opposite and over 28m between the side of the property itself and the existing properties. The rear windows of Plot 11 will face towards the side garden of number 1 Springfield Mews, but there will be over 13m between the first floor windows of the proposed property to its boundary and 26m between facing windows at first floor which also exceeds the interface distances. The relationship between these properties is therefore considered acceptable.
54. The property known as Appenzell is immediately to the northeast of the site but will be further away than the properties above and therefore it is not considered the proposal will have an unacceptable impact on it. The land immediately to the east is owned by Appenzell but the proposed properties on plots 8 and 9 will be side on to it and are therefore considered acceptable. There are no properties immediately to the south of the site.

Design

55. The properties will be higher than Babylon Lane but the site will be re-graded and they will have finished floor levels similar to those of the existing properties on Stonegate Fold that back onto Babylon Lane and will be viewed in their context, therefore the levels are considered acceptable.
56. The proposed properties are all two-storey detached houses with detached garages. They will be constructed of reconstituted stone and render with roof tiles and uPVC windows.
57. There are a range of properties in the area, notably the detached properties on Stonegate Fold that are also built of reconstituted stone. The properties of Springfield House, Cottages and Farm are terraced and are built of stone as are Springfield Mews. The properties to the north on Babylon Lane are also stone terraces. Due to the range of property types in the immediate vicinity detached properties are considered acceptable in design terms subject to materials which could be controlled by condition.
58. The fencing to the rear garden of Plot 14 would front Babylon Lane, however this is proposed as a 'Green Screen' which consists of a metal grid covered with plants. This is considered acceptable as would appear almost as a hedge while still giving a secure boundary for the owner of the property.
59. Stone walls are a feature of Babylon Lane and the site has a low stone wall fronting it. It is considered that any scheme should incorporate this feature within the layout (to the back of the pavement) to reflect the surrounding area. It is also considered the southern boundary treatment of the site (to the gardens of plots 1 and 6) would need to be carefully considered as there are views of this boundary as it is approached from the south. Notwithstanding what is shown on the submitted plans it is considered that a condition could be imposed requiring boundary treatments to be submitted and agreed to ensure they are acceptable.

Open Space

60. Policy HS21 of the adopted Local Plan covers Playing Space Requirements for new developments. In terms of amenity greenspace it sets a standard of 0.45 hectares per 1,000 population. There is currently a deficit of provision in Adlington in relation to this standard, and contribution towards new provision is therefore required of £85 per dwelling.

61. In terms of provision for children/young people (equipped play areas) Policy HS21 sets a standard of 0.25 hectares per 1,000 population of which there is currently a deficit of provision in Adlington in relation to this standard and a contribution of £426 per dwelling is required.
62. In terms of playing pitches, a Playing Pitch Strategy was published in June 2012 which identifies a Borough wide deficit of playing pitches but states that the majority of this deficit can be met by improving existing pitches. A financial contribution towards the improvement of existing playing pitches is therefore required from the development to be spent on sites included in the Action Plan accompanying the Playing Pitch Strategy of £868 per dwelling.
63. Altogether a contribution of £19,306 is required towards open space which would need to be secured via a legal agreement. The applicant has agreed to this payment and therefore the proposal is considered acceptable in relation to policy HS21.

Education

64. The Education Authority (Lancashire County Council) has requested a contribution of £58,178 towards 5 primary school places in the area. This is considered justified and the applicant has agreed to this payment and therefore the proposal is considered acceptable in relation to education subject to this being secured via a legal agreement.

Trees and Landscape

65. There are no protected trees within the site boundaries of the planning application although they do about the site to the northeast and southeast (TPO 1 Anderton/Heath Charnock 1972). These were found to be of moderate quality within the Arboricultural Impact Assessment submitted with the application. The layout of the proposal is considered acceptable in relation to these subject to conditions controlling tree protection during construction and no-dig areas if necessary.
66. There are a number of self-seeded low quality small trees and shrubs on the site that are to be removed but it is not considered that they would warrant a Tree Preservation Order as they make a limited contribution to the area.
67. The main landscaping issue is that there is a well-established hedgerow along each side of Whitebeam Close that runs through the site. This will be removed, which is regrettable, but is required due to the changes in levels proposed on the site. It is however proposed to replant a hedge along the frontage of Whitebeam Close as part of the development, but allowing for the driveways of the proposed properties. This is considered acceptable and can be controlled by a condition.

Ecology

68. An ecological assessment accompanies the application and concludes that the trees and scrub could offer limited foraging and commuting opportunity for bats in the locality. However there are no mature trees within the developable area on site with cavities suitable for roosting bats. As such, development of the site is unlikely to impact upon bats.
69. As small trees are to be removed as part of the application a condition would need to be applied to ensure that this does not take place within the nesting season unless checks have been carried out to ensure there are no nesting birds in them.
70. Biodiversity could be enhanced on the site through an appropriate planting scheme and the limited roosting potential of the current site could be enhanced by incorporating bat roosting features into the new build that could be controlled by a condition.
71. No protected or invasive plant species were observed on the site during the habitat survey.
72. The proposal is therefore considered acceptable in terms of ecology in accordance with Policy EP4 of the Local Plan subject to conditions relating to mitigation.

Flood Risk and Drainage

73. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency and is less than 1 hectare in area. Therefore a Flood Risk Assessment is not required.
74. It is considered that appropriate drainage and surface drainage arrangements could be secured by conditions.

Traffic and Transport

75. Whitebeam Close would serve the development and is an existing adopted cul-de-sac that serves Springfield Mews. LCC Highways are satisfied that a suitable access and layout can be achieved through a Section 278 agreement (under the Highways Act). They also state that the provision of a new footway on either side of the access with the removal of the stone wall should enable improved visibility sightlines. It is considered final highway details could be controlled by a condition.
76. The proposed properties will all benefit from at least three parking spaces which are in accordance with the Council's parking standards and is therefore considered acceptable.

Contamination and Coal Mines

77. The site is within a low risk area in terms of former coal mines as identified by the Coal Authority, therefore if the application is approved an informative note would be required to be applied to any decision notice.
78. Contamination issues can be controlled by a condition as requested by the Council's Contaminated Land Officer.

Sustainability

79. Policy 27 of the Core Strategy related to Sustainable Resources in New Developments. This requires new dwellings to be built to Level 4 (or Level 6 if commenced after January 2016) of the Code for Sustainable Homes and for schemes of over 5 dwellings additional building fabric or decentralised, renewable or low carbon energy sources should be installed and implemented to reduce the carbon dioxide emissions of predicted energy use by at least 15%. This could be imposed by conditions.

Overall

80. There is no public right of way that crosses the application site.

Overall Conclusion

81. The proposal is considered unacceptable as it is contrary to the emerging Local Plan. In addition the low density of the development and the lack of affordable housing proposed results in the application being contrary to Policies 5 and 7 of the Core Strategy.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies: GN5, HS4, TR4

Joint Core Strategy

Policies 17, 27

Planning History

75/00292/OUT Outline application for 25 houses. Refused June 1975.

**Recommendation: Refuse Full Planning Permission
Reasons**

- 1. The size of the site is over the threshold of 0.5 hectares that requires 30% affordable housing to be provided, as no affordable housing has been proposed the proposal is contrary to Policy 7 of the Core Strategy.**
- 2. The application site is a greenfield site and the proposed density of 17.5 dwellings per hectare is not considered to represent the efficient use of this land. The layout shows 14 large detached properties and it is not considered that there are material considerations that require the density to be this low. The proposal is therefore considered to be contrary to Policy 5 of the Core Strategy in that it does not make efficient use of the land.**
- 3. The application is contrary to Policy BNE3.4 of the submitted Chorley Local Plan 2012 – 2026 and it is not considered that there are other material considerations that outweigh this.**