

Item 4b **13/00138/REMMAJ**

Case Officer **Adele Hayes**

Ward **Clayton-le-Woods West and Cuerden**

Proposal **Reserved matters application pursuant to outline planning permission 11/01085/OUTMAJ for the erection of 294 dwellings, associated highways infrastructure, car parking and pedestrian / cycle routes, formal and informal open space provision and associated works.**

Location **Land south of Cuerden Farm and Woodcocks Farm and land north of Caton Drive Wigan Road Clayton-le-Woods**

Applicant **Taylor Wimpey UK Limited And David Wilson Homes**

Consultation expiry: **16 April 2013**

Application expiry: **20 May 2013**

Proposal

1. The application site comprises 13.65ha of land located to the east of the A49 Wigan Road and junction 28 of the M6, to the north of Clayton-le-Woods, and is approximately 6km from Chorley Town Centre and 8km from Preston.
2. The site is currently in agricultural use and has a network of trees, hedgerows and ponds throughout.
3. It is bound to the north by a mature hedgerow beyond which lies Woodcock Farm, Green Bank, Cuerden Farm Barn and associated equestrian centre, and Cuerden Farm. A short distance further north is a residential caravan park accessed off Nell Lane which runs between Wigan Road and Shady Lane.
4. To the west and south are residential properties which front onto Wigan Road and the cul-de-sacs known as Kent Drive, Levens Drive, Newby Drive and Caton Drive.
5. Mature hedgerows and adjoining agricultural fields are located to the east that stretch across to a housing estate further to the east.
6. Opposite the site on the other side of Wigan Road are a number of commercial properties.
7. This application seeks reserved matters approval for a residential development comprising 294 dwellings, of which 88 are proposed to be affordable, associated highways, infrastructure, car parking and pedestrian / cycle routes, formal and informal open space provision pursuant to outline permission ref: 11/01085/OUTMAJ.
8. Consent is sought for details of appearance, landscaping, layout and scale. Details relating to means of access into the site from Wigan Road were approved at the outline stage.
9. The proposed development is subject to a number of conditions attached to the outline permission and a separate S106 Obligation. An application to discharge the conditions attached to the outline permission has been submitted to the Council and is for the most part still under consideration.

Recommendation

10. It is recommended that the application is approved.

Background

11. The application is a reserved matters application. Fox Land and Property submitted an outline planning application for up to 300 dwellings (10/00414/OUTMAJ) on this site on the 20th May 2010. The applicant appealed to the Planning Inspectorate on grounds of non-determination and a public inquiry was held. Planning permission was granted by the Inspector on the 18th May 2011. The appeal was subsequently called in by the Secretary of State who agreed with the Inspector's conclusions and granted permission subject to conditions on the 21st July 2011.
12. A Section 73 application (11/01085/OUTMAJ) was submitted on the 12 December 2011 to amend condition 20 (Layout of Highway Improvements at Hayrick Junction). This application was approved on 4th April 2012 subject to conditions.
13. The acceptability of the principle of developing the application site for housing has therefore been established and the Council is therefore now only considering matters of appearance, landscaping, layout and scale under this application.
14. The main issues for consideration therefore are:
 - Design and character of the development
 - Traffic and Transport
 - Impact on the neighbours
 - Section 106 Agreement
 - Other matters

Representations

15. 9 letters have been received from residents citing the following grounds of objection:
 - The housing needs of the borough can largely be met through existing allocations and brownfield sites, and there is no need to allocate more green land for housing. Statistically, within ½ mile of postcode PR25 there are currently 676 properties for sale and 112 for rent. Of these, 119 are new properties.
 - Within 1 mile of PR25, there are 1000+ properties for sale (figures from 'Rightmove' website).
 - The site includes a Biological Heritage Site, capable of supporting rare amphibian species and currently provides a valuable amenity for local residents to enjoy the natural environment. As this area is greatly valued by local people as open space, it should be returned to green belt. If this is not done, the only remaining 'green belt' between Leyland and Clayton-le-Woods would be a narrow corridor of 1 field's width adjacent to the M6 which is subject to excessive noise and pollution. A large increase in carbon emissions surely cannot be the aim of any sensible strategic planning for Central Lancashire when one of the most challenging issues facing the world today is climate change.
 - Planning approval has been given for 160 new homes adjacent to this site. Further development has already seen the chainsaw damage to hedges and trees on the site, and will see further degradation of ecosystems and loss of biodiversity.
 - The extensive nature of proposed developments would double or treble the population of Clayton-le-Woods and ruin the balance of the community.
 - Account must be taken very seriously of the amount of water which accumulates on these fields. There clearly needs to be provision, careful monitoring and maintenance of appropriate drainage of this fairly flat area. In particular, the drainage of the fields and the 'ditch' area, which runs along the back of the houses located off Lancaster Lane, will need close attention.
 - If there are to be c300 new properties, (450 with the already approved development), to be occupied by a normal mix of families, it would not seem unreasonable to assume there is

likely to be an additional 500+ vehicles. If again it is assumed that some 460 of these new houses will be owned by the main 'breadwinner' then it is highly probable that some 400+ vehicles would be joining the A49 during the morning and evening rush hour periods. (The proposed plan has only one entrance and exit from the A49).

- This area is already very heavily congested at these times and the additional traffic will only exacerbate the situation.
- Of the two traffic surveys on Lancaster Lane, one was undertaken during school holidays, which would obviously not give a true picture, and the second has the vehicle counting machine on Lancaster Lane in a position that does not record the traffic exiting or entering Pendle Road, which is used extensively by the residents in the lower half of the 'Spring Meadow' estate and thus the traffic figures given by the machine will not be a true reflection of the traffic using the Hayrick traffic light junction.
- There is no provision for any additional school accommodation to be provided to cater for over 460 new families, apart from a new school in Buckshaw Village, (which is likely to be fully occupied by children from families living within the 'Village'). Therefore, many of the school age children who would be likely to live on this proposed new development will have to be transported to school via private car or extra buses. On a realistic assumption that this will involve over 700 children, there is likely to be a minimum of a further 100 vehicles joining the A49 at peak times to convey them to and fro.
- Clayton-le-Woods has very limited facilities in the area of the proposed development, the centre has just 1 public house, 1 newsagent, 1 chip shop, 1 butcher, 1 grocery store and no church building. There is no Post Office, Health Centre or Dental Practice.
- Affordable housing has been included in the development and some of these units will be adjacent to small bungalow residential homes, occupied in many cases by the elderly.
- New footpaths through cul-de-sacs will result in anti-social behaviour as more young people come to live in the area where there is already a lack of youth provision. It is possible that it could facilitate, and increase more serious crime, as the paths offer easy access to criminals to residential areas.
- Affordable housing next to one of the ponds on the site is an accident waiting to happen – who will take responsibility then?
- Nationally, prospects for cuts in public expenditure and increases in taxation will have serious dampening of demand for new houses.
- Affordable housing does not mix well with more expensive, detached homes.
- It should be noted that the amount of 'greenery' in the area seems to be fast diminishing. Back gardens seem to be 'hi-jacked' for small housing developments, Buckshaw Village has still to be developed further; the 'Flower' estate in Clayton-le-Woods has only recently been completed.
- Once this land is given up for development it will be 'lost' for ever.
- The scale of the proposed development, though reduced from the original in this phase, would be detrimental to the local environment and to the quality of life of local residents.
- The character of the area would be significantly harmed - in particular there would be a loss of rural amenity and encroachment on the Cuerden Valley area, threatening many years of conservation work that has been undertaken. The developer's concessions on open space provision would in no way compensate for this loss.
- There would be significant traffic density and road safety implications, which the proposed highway alterations would fail to address
- The scale of the proposal is totally out of keeping with the area and undoubtedly the appearance of the buildings will not be in keeping with the individual style of the properties in this area.
- At present this is a quiet residential neighbourhood but there will doubtless be an increase in noise once the development is complete to say nothing of the noise and disturbance during the construction phase.
- Already there are traffic issues with the A49 and Lancaster Lane junction and this matter has been reported to Lancashire County Council. It takes anything up to 6 minutes to pass through the traffic lights into Leyland town centre. Furthermore traffic frequently backs up to the roundabout at the top end of Lancaster Lane during busy times, backs up onto the motorway exits and also backs up both ways along the A49. The queue on the A49 will only be made worse with the opening of the Waitrose warehouse facility with heavy goods vehicles wanting to join the M6. Additionally trying to cross Lancaster Lane on foot is a

nightmare at busy times and can take several minutes before there is an adequate break in the traffic. Building new dwellings will only exacerbate these problems and gridlock the junction. A complete review of this junction is needed. This problem is steadily getting worse.

- The Chorley and Leyland area was originally a pleasant green area with plenty of wildlife including woodpeckers, jays, tits, wrens, bats and foxes. This is fast disappearing and this proposed development is another nail in the coffin. If it is to proceed, wooded areas should be included for wildlife and to break up the appearance of the buildings.
- Existing infrastructure including highway capacity and doctor's surgeries and school place provision 'is inadequate.
- Over the past 2 years there have been constant problems with low gas pressures and National Grid has made numerous attempts to solve this culminating in their latest actions which was to re-route the main into Kent Drive. The problems started with the building of a number of houses on Lancaster Lane and the problems will be exacerbated.
- There is plenty of land available on the Buckshaw Village site without having to build more unsightly houses here. If there are houses to be built they should be in keeping with the area and have large gardens, not built within a metre of each other.
- The proposed slab levels of the houses backing onto the existing properties on Wigan Rd (Plots T70 to T106) are considerably raised in relation to both the existing levels on the site and the existing houses on Wigan Rd. This will severely impact on the amenity of the owners of the existing properties, in particular the loss of privacy by the new properties overlooking the existing at a higher level. The slab levels should be amended to be no higher than the existing ground levels at this part of the site. If necessary, the site drainage should be redesigned to accommodate this. It appears that there would be sufficient fall between the existing levels on this part of the site and the proposed connection points near the site entrance if large diameter drains were installed. If this is not possible, the surface water for this part of the site could be routed via the existing ditch as in the outline application, or by the use of pumping station(s).
- The raised levels and the resulting sloping rear gardens will cause flooding of the gardens of the existing houses.
- A number of conditions attached to the outline planning consent do not appear to have been met by this application: Condition 24 required that the development should be as the 'Illustrative Masterplan'. On this, the number of houses backing onto the area of Wigan Rd between 'Oaktree Bungalow' and 'West Dene' was 6, with a note 'Lower density properties backing onto Wigan Rd'. This application has 13 on the same section. Also there was a note 'Proposed strengthened landscape planting to boundary'. This does not appear on the current proposal.
- There are no drawings showing surface and foul drainage or drawings showing the road levels and slab levels for all roads/properties (there are slab levels/sections for 3 locations only).
- Many trees on the site have recently been felled by the developers. Conditions 16, 17 and 18 related to trees and site clearance. It appears that this work has been done in advance of consents.
- Site cabins/compounds, material storage and any excavated soil should be located away from existing properties, to minimise noise and disturbance to existing residents during construction work.
- The layout may restrict light to existing properties.
- The proposed pedestrian walkway through to Caton Drive will cause crime levels to rise in the future. Many are elderly people living alone will feel very vulnerable if this walkway is introduced. Giving access will only give way to this cul-de-sac being used much more frequently by individuals who do not reside here.
- It is proposed to build on an old farm dump that should not be disturbed.
- The development will result in flooding of properties on Newby Drive.

16. **Redrow Homes Ltd** are concerned that Condition 12 of their outline planning permission (12/00941/OUT) requires the development to be carried out in accordance with the masterplan and design and access statement (both of which show or refer to a bus link to Phase 1 of the wider development). Likewise, the final masterplan and design code must be in accordance with the design and access statement (Condition 13). If there is no bus link to

Phase 1 in the approximate position specified on the illustrative masterplan, they are concerned that they would not be able to comply with conditions attached to permission 12/00941/OUT. They also comment that the current proposal would preclude any direct bus link between Phases 1 and 2.

It is Redrow's opinion that the originally proposed bus link between Phases 1 and 2 is the only means of ensuring an internal loop for public transport between these committed developments in the short/medium term, or at all if no further development takes place in the wider area particularly since the development of the HCA owned land is not an existing commitment and is very likely to change. Furthermore, the Applicant has no control over the vast majority of the land.

Redrow do however accept that if the Council approve the current application and in effect waive the requirement for a bus link between Phases 1 and 2 that is another matter.

The applicant's response to the Redrow position statement acknowledges that Redrow Homes have raised concerns that they would have difficulty in complying with four conditions attached to their outline permission (12/00941/OUTMAJ) but they do not consider these comments should prejudice the positive determination of the current application for the following reasons:

- Bus link location

In developing the masterplan to accompany the application, regard has been had to wider plans and current applications affecting the immediate area. This has included the plans for the comprehensive development proposed by Fox Land and Property Ltd. (ref: 11/01004/OUTMAJ). Taking account of this, they consider that the current masterplan has proposed a far more appropriate and beneficial route than that proposed in the Redrow Homes sketch masterplan particularly as it allows the bus loop to extend to a much wider area and serve a greater number of dwellings and therefore future residents of the wider area. This proposed route would allow the bus link to be extended well into the central area of the site where it is currently proposed by FLP that a school and local centre would be built as part of an amended masterplan for this part of the site. If a bus loop was to follow the route proposed by Redrow Homes, the applicant comments that it would not serve the purpose of providing appropriate public transport infrastructure to link Phase 1 and Phase 2 of the Clayton-le-Woods development.

In addition, they comment that the link shown on the Redrow Homes sketch masterplan does not appear capable of performing the role of a bus loop given that it is shown as a collector road and therefore not suitable from a highways point of view of meeting bus route requirements.

- Amendments to Masterplan

The Redrow Homes permission affords them the opportunity to provide a revised masterplan by making amendments to it in any subsequent reserved matters application. Despite an illustrative masterplan being submitted, the conditions require the applicants to submit a final detailed masterplan and design code as part of any reserved matters which specifically addresses the location of public transport routes. It is the applicant's opinion that the conditions referred to in their letter allow sufficient flexibility to allow the masterplan to be amended to reflect and link more positively with adjoining proposed schemes in the locality. The applicant comments that this was the approach that was taken by them to the reserved matters submission having regard to the wider proposals for the area at the time of making the application. Again comment is made that the masterplan submitted with the outline application by Redrow Homes was only an illustrative version and they suggest that when Redrow undertake a detailed design review as part of the reserved matters application that they amend the layout to reflect the changes being proposed in the area by adjoining applications. This will ensure the proposals do not reflect a piecemeal form of development.

The applicant welcomes that Redrow Homes do not wish to raise a formal objection.

Consultations

17. **Clayton-le-Woods Parish Council** - no comments received.
18. **The Environment Agency** has no comments to add to their consultation response on the previous application which resulted in conditions being attached to the outline planning permission to minimize flood risk, improve biodiversity and ensure safe development.
19. **Strategic Housing** originally commented that the applicant only proposed 87 affordable homes which is less than 30% provision (30% represents 88.2 affordable homes, which in accordance with the Affordable Housing SPD should mean 88 affordable homes are provided) with a tenure mix of 70% Social Rent and 30% Intermediate sale i.e. shared ownership.

The scheme has been revised since it was originally submitted and 88 affordable homes are now proposed.

The tenure mix will be 70% social rented and 30% shared ownership with the following split proposed by the developer

3 x 1 bed flats
32 x 2 bed houses
53 x 3 bed houses

Strategic housing colleagues have not raised an objection to the proposal and have acknowledged that the current proposals comply with the terms of the existing s106 Agreement. However they have commented that they would prefer the scheme to include more 2 bed houses for rent. They have requested that all of the 30% shared ownership units be 3 bed houses.

This matter has been raised with the applicants who have advised that the Registered Housing providers are currently preparing their offers for the purchase of the affordable units and until these have been received and the subsequent mix and value implications analysed this cannot be agreed to at this stage. However, subject to offer returns, the applicants have confirmed that they will endeavour to provide a preference of 3 bed units for the shared ownership tenure.

20. **Lancashire County Council Highways** raised no objection to amending condition 20 of the outline planning permission and were satisfied that the measures indicated on the approved drawings achieve the same opportunity to increase capacity for traffic entering the junction from A49 south as did the approved junction layout.

LCC accepted that the amended drawing indicated a compromise in terms of the new kerblines for the left turn A49 to Leyland Way but advised at the time that the final detailed design will be completed by the Road Design Team to ensure that changes satisfy movement demand for all modes and any supporting infrastructure can be accommodated.

Any comments in respect of the internal highway arrangements will be reported on the addendum. However the verbal comments of the highway officer have been incorporated into the final design.

21. **Lancashire County Council Ecology** comments will be reported on the addendum.
22. **The Ramblers Association** no comments received.
23. **Director of People & Places (Contaminated Land)** comment that the applicant has submitted a Ground Investigation report for this site - 'Ground Investigation at Wigan Road, Clayton-le-Woods' Hydrock Ref: R/12464/001, dated November 2012. The information has been reviewed and is considered to be acceptable.

24. **Director of People & Places (Noise/Emissions)** has no objection in principle to the proposed development and originally commented that discussions have taken place with Hepworth Acoustics who had been commissioned by the applicant to carry out a noise survey and assessment to determine the requirement and specification of any noise mitigation measures for the proposed dwellings located close to Wigan Road. It has been agreed with Hepworth Acoustics that the methodology used in the Noise Assessment Report for the site dated May 2010 which was carried out by Wardell Armstrong is appropriate.

The applicant has also submitted a noise survey which includes details of noise mitigation measures in relation to traffic noise (for relevant properties) and for the construction phase of the proposed development.

The methodology used in the assessment is considered to be appropriate and the recommendations for noise mitigation measures are accepted. The implementation of the noise mitigation measures as suggested in section 3.11 of the report can be secured by the imposition of a condition.

25. **Police Architectural Liaison Officer** has no objection to the proposal and comments that the submitted Crime Impact Statement incorporates appropriate recommendations that are site specific, appropriate and realistic to the potential threat posed from crime and anti-social behaviour in the immediate area of the development. The use of cul-de-sacs within the layout design is welcomed.
26. **Parks & Public Open Space** comment that the design code and masterplan document sets out the principle of including two distinct areas of open space / play provision with differing levels of provision in different parts of the site and it is considered that this is appropriate for this site.

The proposed landscape treatments of the natural play area and the boundaries between the highways, pond and play provision are considered to be acceptable. The design code document also provides sound principles for the implementation of the hard and soft landscape scheme across the site. This information satisfactorily addresses the 'public open spaces' aspects of the development.

The information provided on the play equipment proposed for the older children and teens is good and the equipment specification is suitable for these age groups. The range of equipment and layout proposed appear suitable for this location.

The Design Code also makes reference to a further informal toddler play area near the entrance to the site which would incorporate 'naturalistic play features, logs and boulders'. The details are yet to be designed and this matter will need to be dealt with by way of condition.

The soft landscape plans are comprehensive and the layout of shrubs, trees and amenity grass species are acceptable and there is no objection to the sizes of tree and shrub stock proposed.

The Design Code makes reference to 'some access ways being surfaced in Brindle Block Paving'. Although the soft landscaping plans show some hatched area of access way, the drawings do not state that these will be surfaced in Brindle Block Paving. The applicant's agent has confirmed that this is the case and revised drawings are to be submitted.

27. **Highways Agency** does not wish to make any comments in relation to this application.
28. **The Wildlife Trust For Lancashire** comment that Pond 1 and Pond 3 of the ponds proposed to be retained appear to be isolated from the network as proposed, which should be remedied, either by linkage or, if that is impractical, by creation of a number of additional, suitably designed and managed ponds in less isolated locations within or near to the development site, as mitigation and to ensure the development is permeable to migrating amphibians, particularly recorded great crested newt populations in nearby locations.

The provision of newt hibernacula and house sparrow nesting-box 'terraces' are commended.

29. **Natural England** – Comment that the proposal does not appear to affect any statutorily protected sites or landscapes, or have significant impacts on the conservation of soils, nor is the proposal EIA development. Natural England have advised that they have adopted national standing advice for protected species. As standing advice, it is a material consideration in the determination of the proposed development in this application in the same way as any individual response received from Natural England following consultation and should therefore be fully considered before a formal decision on the planning application is made. The protected species survey has identified that the following European protected species may be affected by this application: bats and great crested newts.

Natural England's standing advice sheets for individual species provide advice to planners on deciding if there is a "reasonable likelihood" of these species being present. They also provide advice on survey and mitigation requirements.

The standing advice has been designed to enable planning officers to assess protected species surveys and mitigation strategies without needing to consult Natural England on each individual application.

In this case, the standing advice relating to bats advises the local planning authority that "Permission could be granted (subject to other constraints)" and that the authority should "Consider requesting enhancements".

30. The standing advice relating to great crested newts advises the local planning authority to accept the findings of the submitted surveys and consider requesting biodiversity enhancements for great crested newts (for example creation of new water bodies and suitable terrestrial habitat).
31. **United Utilities** have no objection to the proposal subject to the imposition of conditions to ensure that there is no significant occupation of the site before autumn of 2013 and that the site is drained on a separate system, with only foul drainage connected into the foul sewer system located to the east of the site ultimately discharging into the Walton-le-Dale drainage network. Surface water must discharge to the watercourse with the consent of the Environment Agency.
32. It is not expected that any of the dwellings will be ready for occupation by the autumn of this year and therefore it is not considered necessary to control this by way of condition.

Assessment

Design and character of the development

33. The design principles for the proposed development are set out in the Design Code for the site and the proposed scheme is considered appropriate in respect of its layout having regard to the character of its surroundings and accords with the approved principles established by the outline planning permission.
34. Three distinct character areas are proposed:
- Village Green;
 - Clayton-le-Woods; and,
 - Wigan Road.
35. The Design Code provides details about how these character areas respond to their distinctive nature in respect of the proposed building mix, type, height and use of materials and establishes parking principles, landscaping details and boundary treatments.

36. The proposed development will provide 294no. dwellings with the overall site density ranging from approximately 21-25 dwellings per hectare [dph].
37. There will be a mixture of dwelling types and sizes ranging from one to five bedroom family homes. 88 units are proposed to be affordable dwellings and this will meet the requirements of the outline planning permission and address the identified housing needs in the area in terms of both tenure and size. They will be pepper potted throughout the site to comply with the Central Lancashire Affordable Housing SPD and some of the affordable dwellings will share a common boundary with existing dwellings on Wigan Road, Lancaster Lane and Levens Drive.
38. The following mix of units is proposed:
 - 3 x 1 bedroom affordable unit
 - 32 x 2 bedroom affordable unit
 - 53 x 3 bedroom affordable units
 - 3 x 3 bedroom market units
 - 159 x 4 bedroom market units
 - 44 x 5 bedroom market units
39. The proposed housing mix is considered to represent a good mix of dwelling sizes.
40. The general design principle for the proposed housing incorporates a perimeter block layout with strong street frontages and secure defensible rear gardens. Key 'focal points' have been given careful design consideration and the individual house types, which comprise a mix of detached, semi-detached and terraced dwellings of 2 and 2.5 storey built form accord with the Design Code.
41. The proposed development maintains a simple and clear street hierarchy, with a main avenue link connecting Wigan Road to the heart of the development.
42. New footpaths and cycle links enhance the accessibility and permeability of the site. The need to create connectivity both within the development site and into the existing neighbourhood was established as desirable at outline stage.
43. It is considered that the proposed scheme develops a legible environment with a choice of interconnecting attractive streets and pedestrian routes which provide good connectivity across the site.
44. Inclusive design principles have been adopted and the development delivers 30% affordable housing, some 88 dwellings.
45. Landscaping and public open space associated with the development will provide amenity, recreational, biodiversity and sustainability benefits.
46. At outline stage it was demonstrated that the development is not at risk of flooding from external sources and the risk of flooding will not be increased by the development and its environment. It is proposed the site drainage system will be adopted by United Utilities.
47. Whilst some hedgerow and tree removal is necessary to facilitate the development, particularly at road accesses and junctions, compensatory planting with the use of native species is proposed. The felling of trees took place prior to March in accordance with condition 16 of the outline planning permission and trees were required to be removed for the approved access.
48. The Ecological Statement, prepared by Erap, which accompanies the application, demonstrates the substantial retention of key features of ecological importance and the use of compensatory planting for any features which are removed.
49. The proposed site layout maximises the habitat connectivity and green infrastructure through the site and between the site and the wider area. The applicant has revised the proposed

fence design since the application was originally submitted to ensure environmental permeability and connectivity for wildlife.

50. The existing permanent ponds will be retained. However, the absence of any management has resulted in a decline in their conservation value. The development proposes the enhancement of the existing ponds by the application of appropriate management and habitat creation.
51. The development also secures the mechanism for the creation of new habitats for wildlife associated with the local area through measures such as bird boxes and bat access panels and this aspect of the proposal has been commended by the Wildlife Trust for Lancashire.
52. There are two main areas of public open space proposed within the development. At the entrance to the development, the Village Green provides a high profile area of greenspace which is connected to local cycle networks and is therefore highly accessible both from the development and the surrounding community. It will also benefit from natural surveillance of surrounding properties. Naturalistic play features such as logs and boulders will be located in this area.
53. The second main area of public open space is located on the eastern boundary of the development. This area is also in an accessible location, easily reached from Lancaster Lane via the proposed cycle path/footway and from Magnolia Drive via the existing public footpath.
54. Residential properties to the west, and the footpaths, also provide a good degree of natural surveillance. To complement the smaller space for younger children at the front of the development, the space is designed for older children and teenagers, providing a Neighbourhood Equipped Area for Play (NEAP), including a hard surfaced area for ball games.

Traffic and Transport

55. The site is to be accessed by a new roundabout at the junction with Wigan Road. This arrangement was approved at the outline planning permission stage.
56. Design development has resulted in the main link road through the site being located further south within the site primarily to avoid traffic circumventing the pond in the Village Green and to create a more legible route through the site.
57. At outline stage the main spine road through the site linked to land in Redrow Home's ownership but its repositioning means that it is now proposed to link with land owned by the HCA.
58. Redrow Homes have raised concerns that the current reserved matters scheme would preclude them from complying with four of the conditions of outline permission 12/00941/OUTMAJ that forms part of Phase 2 of the Clayton-le-Woods wider development proposal. They claim that there are potential conflicts with conditions 12, 13, 17 and 18.
59. The outline planning permission that was granted on this site following a public inquiry was based on evidence and information, including plans, as set out within the document list attached to the Inspector's decision letter. This included a design and access statement that incorporated a development framework plan, an illustrative masterplan and the ecological / arboricultural reports.
60. The illustrative masterplan and the development framework both showed that a future access would be located to link to the land in Redrow Home's control but this has been revised and it is now proposed that the internal road within the application site will link to land owned by the HCA.

61. In addition, Condition 25 of the outline planning permission seeks a masterplan and Design Code for the whole of the site and requires these two documents to substantially accord with the Design and Access Statement.
62. Whilst the position of the internal road through the development has been revised since outline planning permission was granted, it is considered that its position will in fact, in considering the wider Cuerden safeguarded land, not harm the potential for public transport routes as required by condition 25 of the outline approval and will provide greater opportunity to secure public transport routes closer to potential residential locations than the previous location shown in the original masterplan.
63. For this reason the relocation of the internal access is considered to substantially accord with the design and access statement and on this basis the application to discharge condition no. 25 of the outline planning permission has recently been approved.
64. Parking provision is provided predominantly by way of integral or detached garages or driveways although some of the dwellings will have parking located to the rear in the form of parking courts.
65. The proposed layout seeks to ensure that pedestrians have priority and an appropriate environment is created for the future residents. The use of shared surfaces has been incorporated to reduce vehicle speeds and the dominance of the road. Public footpaths and cycleways will be provided throughout the site as part of the development.
66. Vehicle access through the site has been designed to discourage unauthorised access for non-development traffic and to reduce speeds through the use of visual clues and physical constraints.
67. Financial contributions towards highway improvements which were agreed as part of the outline planning permission will be implemented.
68. The County Highway Engineer is still reviewing the latest version of the proposals at the time of writing and any comments will be reported on the addendum.

Impact on the neighbours

69. The application site rises on a west / east and north / south axis. The submitted scheme has been revised since it was originally submitted and amendments made in order to respect the Council's guidelines on spacing standards. As such it is considered that the proposal will not result in any significant loss of amenity for the future residents within the development or occupiers of existing dwellings that adjoin the site. The most recently revised plan has involved a repositioning of some of the plots that will adjoin existing dwellings on Wigan Road. The amendments have resulted in improved relationships and it is not considered necessary to re-notify local residents about these changes.
70. In particular the proposed dwellings on plots T70 – T110 and T135 – T139 will have elevations facing towards properties that front onto Wigan Road. The submitted cross sections through this part of the site indicate that the dwellings on plots T70 – T110 will be built on land that will be raised by a maximum of approximately 1.67 metres as a result of re-grading works to facilitate the surface water being drained to the outfall point at the existing water course within the site.
71. The slab levels of these proposed dwellings will range between 57.40 and 58.65 and will therefore be higher than the existing dwellings on Wigan Road that are located adjacent to this part of the site.
72. The applicant has confirmed that the rear gardens of plots T70 - T80 will have a small ditch at the bottom of the garden which would carry any run off southwards towards the existing ditch running between plots T80 and T105. It is considered that this will minimise the risk of flooding of adjoining gardens.

73. Based on the proposed slab levels of these dwellings, the applicants have allowed for a level patio area to the rear then a step down to a gradual slope to the rear boundary to create a usable rear garden for the plots.
74. Revised drawings have been requested that indicate the position of the drainage ditch and its implementation and retention can be secured by the imposition of a condition.
75. The Council's interface guidelines that are set out in the Supplementary Design Guidance states that windows to habitable rooms at first floor level should be a minimum of 21 metres from any such facing windows in neighbouring houses and windows to habitable rooms at first floor level which overlook neighbouring garden areas, should be a minimum of 10 metres from the boundaries they face.
76. Where the proposed slab levels are 0.5 metres or more above that of neighbouring existing housing, the above spacing guidelines should be increased by 1 metre for every 0.25 metre difference in the slab levels.
77. The submitted indicative cross sections through this part of the site demonstrate that the difference between the slab levels of Plots T71 – T110 and the adjacent dwellings that front Wigan Road will be a maximum of approximately 2.4m. However the rear gardens of the existing properties rise up to their rear garden boundaries and the difference between the levels at the shared boundary and the slab levels of the proposed dwellings will be no greater than 1.15m.
78. The Council's interface guidelines normally require that the standard interface distance of 21m between habitable rooms be increased where there is a difference in levels. In this instance a maximum interface distance of 28.6m should be achieved. However, the interface distance will be between 42m and 55m which clearly exceeds the Council's normal standard guidelines.
79. However, the garden lengths of the dwellings on these plots should also normally be increased to take account of the difference in levels. They will range from between 10.43m – 19.50m in length and therefore the dwellings on plots T72 – T80 will not meet all the Council's normal standards.
80. Given that the interface distance between the proposed and existing dwellings will range between 42m to 53m it is considered in this case that longer gardens are not necessary to ensure the neighbours' privacy particularly as the difference in level between the garden boundaries and the proposed dwellings will be no greater than 1.15m and the layout of the gardens will not result in intimate amenity space adjacent to the rear boundaries. There are also existing trees along the boundary which are within the garden areas of the dwellings on Wigan Road and any perceived overlooking would not result in a loss of privacy to the usable parts of the neighbours' gardens. The existing planting will assist to minimise any potential loss of privacy and additional boundary planting is proposed which will mitigate any impacts further.
81. The proposed dwellings along the southern boundary of the site will achieve a distance of at least 10m from their rear first floor windows to their garden boundaries that adjoin existing dwellings located on Newby Drive, Levens Drive and Kent Drive and again the relationships are considered to be acceptable.

Other Issues

82. As this is a Reserved Matters application pursuant to outline permission granted on appeal it is only matters of appearance, landscaping, layout and scale that are for consideration at this stage. Many of the issues raised by objectors have already been considered at the outline stage or will be considered as part of conditions applied by the Inspector and the associated legal agreement. These must not therefore be repeated as part of this application.

83. The applicant will also be required to discharge conditions placed on the outline permission by the Inspector which requires a number of issues to be approved by the Council, including affordable housing, phasing programme, external facing materials, hard ground surfacing materials, levels, boundary treatments, surface water drainage details, foul water drainage details, ground contamination, landscaping, public open space and play space provision, bat mitigation measures, construction method statement, ecological management plan, design of sewer network, and archaeological work.
84. The Inspector also imposed conditions in relation to sustainable resources. This requires the properties commenced prior to 1st January 2016 to be built to Level 4 of the Code for Sustainable Homes and after that date to be built to Level 6. This is in line with the Council's Sustainable Resources and New Development policy 27 of the Core Strategy.
85. There is therefore no need to repeat these conditions as the developer is bound by them on the outline permission.
86. Some areas of concern that have been raised by local residents relate to matters that are not material planning considerations and cannot therefore be afforded weight in the assessment and determination of the application. These include the issue of increased taxation and the potential reduced demand for new housing and low gas pressure in the area.
87. The Applicants, Taylor Wimpey UK Limited and David Wilson Homes have sought to consult with interested parties and local residents. A public exhibition was held on Wednesday 16th January 2013 at the Lancaster Lane Community Primary School. Prior to the exhibition being open to the general public, a councillor preview session was organised. The event consisted of face to face discussions and exhibition boards which provided details on the proposed development. A feedback form was available at the exhibition to ascertain the views of local people towards the plan.

Conclusion

88. The reserved matters details are considered acceptable and the application is recommended for approval. The applicant is bound by the conditions placed on the outline permission and the legal agreement that was submitted at that time.

Conditions

89. Details of suggested conditions will follow.

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

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Policies:

GN1- Settlement Policy – Main Settlements
GN5 - Building Design and Retaining Existing Landscape Features and Natural Habitats
GN9 – Transport Accessibility and Mixed Uses

DC1- Green Belt
DC3 – Safeguarded Land
EP2 – County Heritage Sites and Local Nature Reserves
EP4 - Species Protection
EP9 - Trees and Woodlands
EP10 - Landscape Assessment
EP12 – Environmental Improvements
EP17- Water Resources and Quality
EP18 – Surface Water Run Off
EP21A - Light Pollution
EP22 - Energy Conservation
EP23 - Energy from Renewable Resources
HS1- Housing Land Requirements in Chorley
HS4 – Design and Layout of Residential Development
HS5 – Affordable Housing
HS6 – Housing Windfall Sites
HS19 – Public Open Space in Housing Developments
HS20 – Ornamental Open Space
HS21 – Playing Space Requirements
TR1 – Major Development – Tests for Accessibility & Sustainability
TR4 – Highway Development Control Criteria
TR18 – Provision for Pedestrians and Cyclists In New Development
TR19 – Improvement or Provision of Footpaths, Cycle ways and Bridleways in Existing Networks and New Developments
LT10 – Public Rights of Way

Joint Core Strategy

Policy 1, Policy 4, Policy 7, Policy 9, Policy 14

Planning History

The site history of the property is as follows:

95/00479/FUL: Erection of 330 houses together with estate roads and the provision of open space on approximately 42 acres (17 Ha) of land. Withdrawn April 1996.

10/00275/SCE: EIA Screening Opinion for Land off A49 Wigan Road, Clayton-le-Woods. EIA not required April 2010.

10/00414/OUTMAJ: Outline application for residential development of up to 300 dwellings (comprising 2, 2.5, & 3 storeys) with details of access and highway works and indicative proposals for open space, landscape and associated works. Approved on appeal against non-determination July 2011.

11/00990/SCE: Request for a screening opinion under the Town and Country Planning (EIA) regulations by Redrow Homes for Land off Wigan Road, Clayton le Woods. EIA not required December 2011

11/01085/OUTMAJ: Section 73 application to amend condition 20 (Layout of Highway Improvements at Hayrick Junction) of Outline application 10/00414/OUTMAJ relating to the residential development of up to 300 dwellings (comprising 2, 2.5, & 3 storeys) with details of access and highway works and indicative proposals for open space, landscape and associated works. Approved April 2012

13/00095/SCE: Request for Screening Opinion Pursuant to Regulation 5 of The Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 2011. EIA not required April 2013

13/00139/DIS: Application to discharge conditions numbered 2 (affordable housing), 3 (phasing programme), 4 (external facing materials), 5 (hard ground surfacing materials), 6 (ground and slab levels), 7 (walls and fences), 8 (surface water drainage), 9 (foul water drainage), 10 (ground contamination), 11 (landscaping), 12 (public open space and play space provision), 15 (bat mitigation), 17 (construction method statement), 18 (ecological management plan), 21 (design of sewer network), 22 (archaeological work), 24 (maximum number of dwellings) and 25 (masterplan and design code) of planning approval 11/01085/OUTMAJ. Partially discharged April 2011.

There are also several sites in close proximity that have had planning permission granted for development or currently have applications pending determination, these are listed below:

Land north of Lancaster Lane and bounded by Wigan Road and Shady Lane (to the north and north east) - outline planning permission for 160 dwellings was granted on the 6th November 2012 (Ref: 12/00941/OUTMAJ). The applicant was Redrow Homes.

Land at Burrows Limited, Wigan Road (to the west of the site) – planning permission for 14 dwellings was granted on the 18th January 2012 (Ref: 11/00480/FULMAJ). The applicant was Wain Homes.

Land west of Cypress Close (to the south east of the site) – the Council resolved to grant planning permission for 38 dwellings on xx February 2013 (Ref: 12/01081/FULMAJ) The applicant was Rowland Homes and the Section 106 Obligation is currently being drafted.

Land north of Lancaster Lane and bounded by Wigan Road and Shady Lane (to the north, east and south east) is subject to an application for outline planning permission for 700 dwellings and 40,000 sq.ft of commercial floorsapce. It is still under consideration (Ref: 11/01004/OUTMAJ) The applicant is Fox Strategic Land and Property.

Recommendation: Approve Reserved Matters Conditions

Conditions to follow on the Committee Addendum