

**Item 4j**                      **13/00347/FUL**

**Case Officer**              **Nicola Hopkins**

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

**Proposal**                    **Retrospective application for the substitution of house types on plots B66-B74 (9 dwellings in total) previously approved as part of planning approval 07/01226/REMMAJ**

**Location**                  **Formerly Multipart Distribution Limited Pilling Lane Chorley**

**Applicant**                  **Barratt Homes Manchester**

**Consultation expiry:** **15 May 2013**

**Application expiry:** **11 June 2013**

### **Proposal**

1. This application relates to the development at Pilling Lane which is being undertaken by Barratt Homes, David Wilson Homes and Redrow Homes.
2. Outline planning permission was granted to redevelop the site in April 2005 (04/00934/OUTMAJ) and the subsequent reserved matters approval was issued in January 2008. The site was originally divided between Redrow and Barratt Homes however subsequently David Wilson Homes have constructed a number of the dwellings on the Barratt's half of the site.
3. A substantial part of the site has been completed/ is under construction and the part of the site subject to this application has already been completed by Barratt Homes.

### **Recommendation**

4. It is recommended that this application is granted conditional planning approval

### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Background information
  - Housing Development
  - Design
  - Section 106 Agreement

### **Assessment**

#### Background Information

6. Reserved matters approval was granted to Barratt Homes in January 2008 (07/01226/REMMAJ) to construct 200 homes on half of the overall site. This approval included the 9 plots subject to this planning application (plots B66-B74).
7. The dwellings which have been constructed on these plots are not in accordance with the approved plans and this application seeks to regularise the situation which has actually occurred at the site.

## Housing Development

8. The original reserved matters approval granted approval for the Palmerston 4 house type on plots 66-70 and 73-74, the Severn house type (which is a flat over drive through) on plot 71 and the Washington house type on plot 72. All of these plots are subject to this application.
9. The submitted elevation plans for the Palmerston 4 house type were the generic plans for this house type which detailed a specific roof layout. The planning layout, submitted and approved as part of the reserved matters application, detailed a different roof configuration for these plots and the development has been constructed in accordance with the layout plan. This construction has resulted in a development which is not in accordance with the approved house types for this part of the site.
10. This principle of erecting 9 dwellings on this part of the site has been established and this application purely seeks to regularise the situation which has actually occurred.

## Design

11. The main changes in what has been constructed and the approved house type plans are as follows:
  - The as built dwellings do not include a front gable roof feature as detailed on the approved plans
  - The first floor windows do not include brick headers as detailed on the approved plans
  - The porches for plots 68 and 69 are located centrally between the two plots which alters the position of the front door for these 2 plots.

## Section 106 Agreement

12. The original outline approval for this site secured planning obligations in the form of a S106 Agreement. As the timescale for submitting reserved matters on this site has expired there have been a number of re-plans which have been subject to full planning applications on the site as a whole. Each of these applications are supported by a supplemental S106 Agreement to tie the development into the original obligations.
13. The original obligations relate to the relocation of the business which existed on the site, affordable housing, community facilities benefit, the laying out of the play area and the maintenance of the play area and higher density mitigation. The majority of the obligations have already been satisfied, the play space has permission and the commuted sum for maintenance can be secured.
14. The only outstanding obligation relates to high density mitigation which states 'in the event that more than 400 dwellings are constructed on the site pursuant to the outline planning permission and any reserved matters approvals the owner shall following construction of the 400<sup>th</sup> dwelling pay to the Council on a quarterly basis the following sums: £7500 in respect of each additional dwelling (excluding affordable housing) occupied on the site having a floor area in excess of 750 square feet and £6000 in respect of each additional dwelling (excluding the affordable houses) occupied on the site having a floor area of less than or equal to 750 square feet'.
15. Although the reserved matters approvals secured 400 dwellings across the whole site the subsequent amendments on the site result in a scheme of 372 dwellings including the affordable houses. The approved apartments on the Redrow half of the site increase the number of dwellings up to 400, including the affordable houses, although there is permission for an amended scheme on this part of the site which reduces the number of units in this part

of the site. Additionally the approved apartments on the Barratts half of the site is subject to a further application which reduces the number of units by 24 (from 65 to 41).

16. If a number of the apartments are designed out of the scheme, as currently envisaged subject to approval of the current application on the Barratts half of the site, the site will accommodate 348 dwellings including the affordable housing.
17. Taking the numbers above into consideration the maximum number of dwellings on the site is 400 including the affordable housing which means that the higher density mitigation trigger will not be met. It is not considered that the 9 units subject to this application (which are taken into account as part of the above calculations) will trigger this obligation and as such in this case, taking into account the fact that all the units are currently occupied necessitating the need for numerous signatories to a supplemental S106 Agreement, it is not considered that a supplemental agreement is necessary.

### **Overall Conclusion**

18. This application purely proposes to regularise the situation which has occurred on site. The design of the properties is similar to that already approved in this part of the site and the amendments to the roof design and the location of the porches are considered to be a minor change within this part of the site. As such the application is recommended for approval.

### **Planning Policies**

#### National Planning Policies:

National Planning Policy Framework

#### Adopted Chorley Borough Local Plan Review:

- **GN1:** Settlement Policy- Main Settlements
- **GN5:** Building Design and Retaining Existing Landscape Features and Natural Habitats
- **HS1:** Housing Allocations
- **HS4:** Design and Layout of Residential Developments

#### Central Lancashire Core Strategy (adopted July 2012)

Policies to be given weight are:

- **Policy MP** clarifies the operational relationship between the Core Strategy and the National Planning Policy Framework. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the framework. Planning policies that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date the Council will grant planning permission unless material considerations indicate otherwise taking into account Policy MP a) and b).
- **Policy 1** Locating Growth
- **Policy 4** Housing Delivery
- **Policy 5** Housing Density
- **Policy 17** Design of new buildings

### **Supplementary Planning Guidance**

- The Central Lancashire Supplementary Planning Document Design Guide (adopted October 2012) is relevant as it aims to encourage high quality design of places, buildings and landscapes in the Borough. This supersedes the Chorley Design Supplementary Planning Guidance (July 2004)

## **Emerging Local Plan**

*Publication Chorley Local Plan 2012 - 2026 (Submission 21 December 2012)*

Relevant Policies are:

- HS1: Housing Site Allocations
- BNE1: Design Criteria for New Development. Criteria a, b, c, d, f, g and h are relevant to the proposal.

## **Planning History**

**04/00934/OUTMAJ-** Residential development including roads, sewers, open space, landscaping and associated works. Approved 2005

**07/01226/REMAJ-** Reserved Matters Application for the erection of 200 houses, with associated roads, footpaths, and works. Approved January 2008

**07/01228/REMAJ-** Reserved Matters Application for the erection of 200 houses, with associated roads, footpaths, and works. Approved January 2008

**07/01227/REMAJ-** Reserved Matters Application for the construction of access road, public open space, children's play area and associated landscaping. Approved January 2008

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

- 1. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any buildings or the completion of the development, whichever is the sooner, and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.**  
*Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy*
- 2. The measures in the agreed Residential Travel Plan, submitted as part of application 09/00374/DIS, shall be complied with.**  
*Reason: To reduce the number of car borne trips and to encourage the use of public transport. In accordance with Policies TR1 and TR4 of the Adopted Chorley Borough Local Plan Review and Policy 3 of the Adopted Central Lancashire Core Strategy.*
- 3. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.**  
*Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.*
- 4. Within 30 days of this planning approval full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.**  
*Reason: To ensure the satisfactory management of the unadopted highways and parking area. In accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*
- 5. The existing soil levels around the base of the trees to be retained shall not be altered.**

**Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 of the Adopted Chorley Borough Local Plan Review.**

6. The following works on the highway, in conjunction with Lancashire County Council as the Highways Authority, shall be installed: \* toucan controlled crossing on Pilling Lane\* green arrow right turn aspect at the A6/Pilling Lane junction\* signing and carriageway lining for cyclists surrounding the site\* pedestrian provision at the A6/Pilling Lane junction \* the upgrading of the two closest existing bus stops to the site on Bolton Road to Quality Bus Standard.

**Reason: In the interests of highway safety and in accordance with Policies TR1, TR4 and HS6 of the Adopted Chorley Borough Local Plan Review.**

7. All the fences and walls shown in the approved details to bound the plots, shall be erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development.

**Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents. In accordance with Policy No.HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.**

8. The approved Residents Consultation Strategy, submitted as part of application 11/00353/DIS, shall be implemented and completed in accordance with the approved procedure, including keeping the residents continually updated on the progress.

**Reason: To ensure that the existing residents are fully aware of the progress of the development.**

9. The hereby permitted shall be carried out in accordance with the following approved plans:

Title	Drawing Reference	Application Reference	Received date
Site Location Plan	400/SLP00	13/00347/FUL	16 April 2013
Proposed Planning Layout	400/PL 00 Rev M	13/00347/FUL	16 April 2013
Plans and elevations Plots 66-74	359/Block 66-74/01	13/00347/FUL	16 April 2013
Boundary Treatment Plan	359/BT10 Rev C	07/01226/REMMAJ	27 August 2009
Landscape Structure Plan	F131/01	07/01226/REMMAJ	25 October 2007
Materials Layout	400/PM01	09/00865/DIS	30 October 2009

**Reason: For the avoidance of doubt and in the interests of proper planning.**

10. Within 30 days of this planning permission full details of the colour, form and texture of all hard ground- surfacing materials (notwithstanding any such detail shown on previously submitted plans and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out in conformity with the approved details.

**Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area. In accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.**