

**Item 4h**                    **13/00348/FULMAJ**

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

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

**Proposal**                 **Re-plan of plots B1-B65 (previously approved as part of planning approval 07/01226/REMMAJ) to replace the approved apartments with 16 houses and 24 apartments (40 units in total) including an amended vehicular access arrangement and parking accessed off Pilling Lane.**

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

**Applicant**                **Barratts Homes Manchester**

**Consultation expiry: 12 June 2013**

**Application expiry: 16 July 2013**

#### **Proposal**

1. The application relates to a re-plan of part of the former Multipart site on Pilling Lane. The development 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 approvals were 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 will be constructed by Barratt Homes.

#### **Recommendation**

4. It is recommended that this application is granted conditional planning approval subject to the associated Section 106 Agreement

#### **Main Issues**

5. The main issues for consideration in respect of this planning application are:
  - Background information
  - Principle of the development
  - Housing Development
  - Density
  - Design
  - Traffic and Transport
  - Section 106 Agreement

#### **Representations**

6. 1 letter has been received stating that support for this application is conditional upon Sumner Close remaining a cul de sac and that there remains no vehicular or pedestrian access through Sumner Close, i.e. Sumner Close does not become a thoroughfare to the new development/Pilling Lane.

#### **Consultations**

7. **Lancashire County Council (Highways)** have commented on the proposals which is addressed below

## **Assessment**

### Principle of the development

8. The principle of redeveloping this site for housing was established in 2005 with the grant of outline permission. The subsequent reserved matters approval detailed the erection of 65 apartments on the part of the site subject to this planning application. This replicated the Redrow apartment development on the opposite side of the main highway into the site (now known as Factory Way) which created a focal gateway into the development site.

### Background Information

9. Due to market conditions selling apartments has become increasingly more difficult and as such Barratt Homes have applied to replan this part of the site which proposes replacing the 65 approved apartments on this part of the site with 16 houses and 24 apartments (a new loss of 25 dwellings on this part of the site).
10. Redrow Homes have also had similar concerns and applied to amend their part of the site, along the frontage of Pilling Lane, in May 2012 (12/00392/FULMAJ) which incorporated substituting 80 apartments with 18 dwellinghouses and 34 apartments. This application was approved at Development Control Committee in July 2012.

### Housing Development

11. The proposals now incorporate a mixture of 2, 2.5 and 3 storey dwellinghouses with 3 storey apartment blocks in a similar layout to the previously approved scheme on this part of the site, although the access arrangements have been amended which is addressed below.
12. The 3 storey apartment blocks are still proposed fronting Pilling Lane/ Factory Way and Factory Way/ Clydesdale Drive and are intersected by four 2.5 and 3 storey dwellinghouses to reflect the Redrow parcel on the opposite side of Factory Way.
13. Each of the 2 apartment blocks proposed incorporate 12 two bedroom apartments (4 apartments on each floor). The main impact of the proposed apartments is the relationship between the block on plots B06-B17 with plot B05. The rear elevation maintains 12 metres from the rear elevation to the rear private garden of plot B05 which accords with the Council's spacing distance in respect of the first floor windows however this elevation incorporates a kitchen and bedroom windows at second floor level facing the garden area of plot B05. As these windows are higher a greater spacing distance is required to protect the amenities of the future occupants. The apartments are designed with the windows incorporated into the eaves of the roof which details a lower level window. In this situation a distance of 12 metres (which exceeds the Council's standard spacing distances by 10 metres) is considered to be sufficient to protect the future residents' amenities.
14. The proposed houses incorporate a mix of 2 and 2.5 storey dwellings however they have been designed to be taller than typical 2 and 2.5 storey dwellings with a vertical emphasis which assists in maintaining an element of height at this gateway location. The intersection of 3 storey dwellings, which was a result of negotiations during the application process, also assists in maintaining this vertical emphasis.
15. The proposals incorporate a mixture of 2 and 3 bedroom dwellings (although it is noted that the Fawley and the Helmsley house types have a ground floor small room which could be used as a fourth bedroom) which is considered to be appropriate for this site. Each dwellinghouse has an adequate amount of private amenity space for the future residents.

### Density

16. The whole site is approximately 10.1 hectares in area. The whole site originally had permission for 400 dwellings which equates to approximately 40 dwellings per hectare. Since the original reserved matters applications were dealt with on this site there have been numerous amendments to various parts of the site which have resulted in a reduction in house numbers. The current number of houses approved at this site is 372 dwellings which equates to an overall density of 37 dwellings per hectare.
17. Taking into account the proposed reduction in dwellings proposed as part of this application

then the site will accommodate 349 dwellings which equates to an overall density of 34 dwellings per hectare.

18. Policy 5 of the Core Strategy relates to housing densities and states that the authorities will secure densities of development which are in keeping with local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area, consideration will also be given to making efficient use of land. It is considered that the densities set out above are appropriate for this sustainable brownfield site within Chorley.

### Design

19. The main design brief for these proposals, in accordance with the original design concepts established at outline stage, is to maintain a feature gateway with an element of height at the site entrance, which mirrors the Redrow scheme.
20. The main changes in respect of the approved scheme are replacing the approved planting strip, which incorporated a footpath, along with frontage of Pilling Lane with a car park and replacing the vehicular access to the parking court from via Sumner Close to the parking court being served via Clydesdale Drive. The highway implications of these changes are addressed below.
21. One of the key design features at outline stage was to retain all of the important trees within the site in particular the deciduous species on the Pilling Lane frontage. The Design and Access Statement which accompanied the reserved matters approval states that *three and four storey development is proposed along the Pilling Lane frontage behind existing mature trees and new semi mature tree planting*. The Design and Access Statement goes on to state that *the existing deciduous trees along the Pilling Lane frontage will be extended along the front of the proposed development, ensuring that all new dwellings are set back from the Pilling Lane frontage*.
22. The existing mature trees actually front the Redrow part of the site however the originally approved landscape structure for this part of the site incorporated extending the planting along the whole frontage including in front of the Barratts development on the part of the site subject to this application. As set out above this landscaped area (which also included a combined footpath/ cycleway which is addressed below) will be lost as part of the current proposals to accommodate a parking court. The application is however supported by a hard surfacing layout plan which details numerous trees and hedgerows within this parking court to partly break up the amount of hardsurfacing materials but to also ensure that a 'green' appearance is still maintained in accordance with the original design concept for this part of the site. Full details of the landscaping will be required via condition to ensure this concept is secured for this part of the site.
23. As set out above the amendments to the frontage of the site include the loss of the combined cycle/footway within the site. The Design and Access Statement which accompanied the original reserved matters approval set out the design concepts for the site, which built on the outline approval and included *a pedestrian and cycle route will link to Ranglett's recreation ground*. The statement went on to confirm that *pedestrian access points will be provided to Grime Street, Smith Street, Pilling Lane and Sandgate and at Pilling Lane the shared footpath/cycleway emerges opposite the path through the recreation ground, creating a direct route into the town centre area, well segregated from vehicular traffic*. This feature will be lost as part of the current proposals however it is noted that a footpath will be maintained along Pilling Lane along with the Toucan Crossing, which is secured as part of the S278 works associated with the development, close to the application site which will enable safe pedestrian access to the Recreation Ground. As such it is not considered that the loss of the combined cycle/footway within this part of the site will hinder safe pedestrian movements or adversely impact on the original design concept of securing a direct route to the Recreation Ground.

### Traffic and Transport

24. Each of the 2/3 bedroom dwellings proposed incorporate 2 off road parking spaces which is in accordance with the Council's spacing standards. The possible fourth bedroom within the Fawley and Helmsley house types is a small box room which is located on the ground floor of a 3 and 2.5 storey dwelling (respectively) and as such is unlikely to be regularly used as a

bedroom therefore in this case negating the need for a third off road parking space.

25. The proposed apartments incorporate 1 parking space per apartment with 5 visitor spaces (totalling 29 parking spaces for 24 apartments). In accordance with the Council's parking standards as all of the apartments have two bedrooms 2 off road parking spaces are required however only 1 space per apartment is proposed. The Highway Engineer at Lancashire County Council has commented that the 100% parking provision previously approved should be increased to 200% for the apartments.
26. In this case the previous approval at this site, which could still be constructed, incorporated more units on this site each with only 1 parking space and as such the current proposals are considered to be an improvement on the approved parking arrangements on this part of the site. Taking into account the fall back position for this part of the site the proposed parking arrangements for the apartments are considered to be sufficient.
27. As set out above the proposed amendments include a new vehicular access off Pilling Lane to serve a small parking court and a new vehicular access off Clydesdale Drive to serve the rear parking court. This removes the approved vehicular access to the rear parking court from Sumner Avenue (a small residential cul de sac adjacent to the site).
28. The Highway Engineer has considered the proposed amendments and raised concerns about the proximity of the vehicular access onto Pilling Lane in respect of the location of the Toucan crossing, secured as part of the outline approval at this site. In this regard the plans have been amended relocating the parking court entrance and detailing the toucan crossing. The Highway Engineer is satisfied with the amendments.

#### Section 106 Agreement

29. The timescale for submitting reserved matters in respect of the original outline approval at this site has expired hence why this application is a full application. As the Section 106 Agreement secured at outline stage relates to subsequent reserved matters approvals a supplemental agreement is required for this application to tie the current proposals into the original obligations for the site.

#### Sustainability

30. Policy 27 of the Adopted Central Lancashire Core Strategy currently requires all new dwellings to meet Code for Sustainable Homes Level 4 and reduce carbon emissions associated with the development. The outline approval and reserved matters approval for this site however pre-dates these policy requirements. It is however noted that various sustainable design principles, such as recycled materials and use of energy efficient appliances, are incorporated into the scheme.
31. As the approved scheme for this part of the site, which could still be constructed, does not include these policy requirements and the fact that the current proposals enable the deliverability of an important element of the whole development it is not considered appropriate in this case to apply the standard policy requirements.

#### **Overall Conclusion**

32. The proposals incorporate substituting approved apartments with a mix of apartments and houses which is considered to be more marketable within today's market. The changes will ensure that the site is developed and not stalled which enables the redevelopment of a brownfield site in a sustainable location and the completion of the development as a whole. The proposals do not differ significantly from the original design concepts for the site and as such are 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

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

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

**Recommendation: Permit (Subject to Legal Agreement) Conditions**

1. The proposed development must be begun not later than three years from the date of this permission. *Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004*

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

Title	Plot	Drawing Reference	Received date
Proposed Materials Layout		400/P/ML01 Rev R	24 <sup>th</sup> May 2013

Proposed Boundary Treatments Layout		400/P/BTL01 Rev R	24 <sup>th</sup> May 2013
Boundary Treatment Details		400/P/BTD01 Rev C	24 <sup>th</sup> May 2013
Apartment Blocks 1 & 2	6-17 and 22-33	400/P/C/APT01	16th April 2013
Proposed Street Scenes AA, BB & CC		400/P/SS01 Rev A	24 <sup>th</sup> May 2013
Hard Landscaping Layout		400/P/HL01 Rev A	20 <sup>th</sup> May 2013
Boundary Treatment Existing Ordnance Survey Plan		400/P/OS01	16th April 2013
Bin Store 01 Details		400/P/BS01	16th April 2013
Proposed Planning Layout		400/P/PL01 Rev R	24 <sup>th</sup> May 2013
The Fawley house type (Brick)	3/ 4/ 19/ 20	400/FAW/C/01	22 <sup>nd</sup> May 2013
The Fawley house type (Render)	3/ 4	400/FAW/C/01	22 <sup>nd</sup> May 2013
The Ashford house type	1/ 2/ 5/ 34/ 35	400/ASH/C/01	16th April 2013
The Helmsley house type (brick)	18/ 21/ 37/ 38/ 39	400/HEL/C/01	16th April 2013
The Farringdon house type (brick)	36/ 40	400/FAR/C/01	22 <sup>nd</sup> May 2013
Double Garage		400/P/DG01	16th April 2013
Single Garage		400/P/SG01	22 <sup>nd</sup> May 2013

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

3. The external facing materials, detailed on the approved plans, shall be used and no others substituted. *Reason: To ensure that the materials used are visually appropriate to the locality. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

4. The ground surfacing materials, detailed on the approved plans, shall be used and no others substituted. *Reason: To ensure that the materials used are visually appropriate to the locality. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy*

5. No dwelling shall be occupied until all fences and walls shown in the approved details to bound its plot, have been erected in conformity with the approved details. Other fences and walls shown in the approved details shall have been erected in conformity with the approved details prior to substantial completion of the development. *Reason: To ensure a visually satisfactory form of development and to provide reasonable standards of privacy to residents. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

6. A scheme for the landscaping of the development and its surroundings shall be submitted prior to the commencement of the development. These details shall indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform and proposed finished levels. In particular the scheme shall detail the proposed landscaping to the parking court fronting Pilling Lane hereby approved. Landscaping proposals should comprise only native plant communities appropriate to the natural area.

All hard and soft landscape works shall be carried out in accordance with the approved details within 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. *Reason: To ensure that a satisfactory landscaping scheme for the development is carried out to mitigate the impact of the development and secure a high quality design reflecting the original design concepts for this site. In accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy.*

7. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2012 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the area(s) so fenced. All excavations within the area so fenced shall be carried out by hand. *Reason: To safeguard the trees to be retained. In accordance with Policy EP9 of the Adopted Chorley Borough Local Plan Review*

8. The garages hereby approved shall be kept freely available for the parking of cars and no works, whether or not permitted by the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order amending or revoking and re-enacting that order, shall be undertaken to alter convert the space into living or other accommodation. *Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking. In accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*

9. No part of the development shall be occupied or brought into use until the vehicular accesses have been constructed in accordance with the approved details and are available for use. *Reason: In the interests of highway safety. In accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*

10. The parking areas, garaging and associated manoeuvring facilities shown on the plans hereby approved shall be surfaced or paved, drained and marked out and made available in accordance with the approved plan prior to the occupation of any of the buildings; such parking facilities shall thereafter be permanently retained for that purpose (notwithstanding the Town and Country Planning (General Permitted Development) Order 1995). *Reason: To ensure provision of adequate off-street parking facilities within the site. In accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review*

11. Prior to the commencement of the development 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 public open space and in accordance with Policies TR4 and HS21 of the Adopted Chorley Borough Local Plan Review.*

12. Before the development hereby permitted is first commenced full details of existing and proposed ground levels and proposed building finished floor levels (all relative to ground levels adjoining the site) shall have been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail shown on previously submitted plans. The development shall be carried out strictly in conformity with the approved details. *Reason: To protect the appearance of the locality and in the interests of the amenities of local residents. In accordance with Policies GN5 and HS4 of the Adopted Chorley Borough Local Plan Review and Policy 17 of the Adopted Central Lancashire Core Strategy*

13. 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.*

14. 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.*

15. 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. In accordance with Policy EP9 of the Adopted Chorley Borough Local Plan Review*

16. 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.*

17. 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.*

18. The site shall be remediated in accordance with BAE Environmental Remediation Strategy Report (Reference:A0356-02-R1-1). Upon completion of the remediation works a verification/completion report containing any validation sample results shall be submitted to and approved in writing by the Local Planning Authority. *Reason:-To protect the environment and prevent harm to human health by ensuring that the land is remediated to an appropriate standard for the proposed end use and in accordance with Government advice contained in the National Planning Policy Framework*