

Item 3d **14/00662/REMMAJ**

Case Officer **Nicola Hopkins**

Ward **Astley And Buckshaw**

Proposal **Reserved matters application for the erection of 14 dwellings and 4 Alton Maisonettes adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ)**

Location **Plots 1075 - 1093 The Orchard, Ordnance Road, Buckshaw Village**

Applicant **Redrow Homes Ltd**

Consultation expiry: **18th July 2014**

Decision due by: **12th September 2014**

Recommendation
Refuse reserved matters consent

Executive Summary

The proposals represent another standard housing layout on a parcel of land within Buckshaw Village which needs a non-standard, innovative design solution in order to respect the character of the area. Similar to other recent applications on this site the application is considered to be unacceptable.

Representations

Parish Council no comments received
In total 3 representations have been received which are summarised below
Support
Total No. received: 3
<ul style="list-style-type: none">• More residential properties on the village is great news for local businesses• Will complement the existing development.• The already wide range of property styles in that area from different developers does not need another style adding to it.• There is a need for more family sized homes. Will add the finishing touches to an extremely pleasant and attractive corner of Buckshaw Village

Consultees

Consultee	Summary of Comments received
United Utilities	Have commented on the required drainage conditions
LCC Highways	In highways term, there seems very little difference between this proposal and that of 13/00817/REMMAJ which received Highways comment on 04/11/2013, but was refused planning permission. As there are no further comments to be made in respect of the proposal, the Highways response to the previously refused application 13/00817/REMMAJ should still hold for the current proposal.

Assessment

Principle of the development

1. Policy 1 (c) iii of the Adopted Core Strategy identifies Buckshaw Village as a location for strategic growth. Policy GN2 of the Adopted Chorley Borough Local Plan Review also applies to the Royal Ordnance Site. This states that high quality and phased development will be permitted for purposes appropriate to the concept of an Urban Village.

Background Information

2. When the reserved matters approval was granted in January 2009 (08/01100/REMMAJ) for the retail elements of the Southern Commercial Area a concurrent application was considered (08/01098/REMMAJ) for purely residential properties adjacent to the local retail centre. The scheme approved the erection of 84 apartments and 24 dwellinghouses on the site. The land has been subsequently divided between Redrow Homes and Barratt Homes.
3. Following this original reserved matters approval Redrow Homes submitted a reserved matters application for Parcel N which included their part of the land adjacent to the local retail centre. That application (12/00463/REMMAJ) amended part of the previously approved scheme.
4. Since the two previous approvals Redrow have applied for several replans all of which have been refused as follows:

Reserved matters application	One bed apartment	Two bed apartment	Two bed house	Three bed house	Four bed house	Total
Approved						
08/01098/REMMAJ	24	0	0	0	14	38
12/00463/REMMAJ	0	42	4	0	0	46
Refused						
13/00817/REMMAJ	0	4	0	11	3	18
14/00264/REMMAJ	0	4	6	9	0	19
Proposed						
14/00662/REMMAJ	0	4	0	11	3	18

5. It is important to note that this is a reserved matters application validated from 13th June however the time period for submitting reserved matters expired on 24th August 2014 (in accordance with planning approval 02/00748/OUTMAJ) and as such no further reserved matters application can be submitted on the Village.

Density

6. The application site covers 0.59 hectares. The proposed scheme equates to a density of 30 dwellings per hectare. The previous approvals equate to 64 and 78 dwellings per hectare respectively, due to the fact that these schemes incorporated apartment accommodation.

Design

7. Within the Masterplan, approved as part of the outline planning permission and the Southern Commercial Design Code, this parcel of land is allocated as a mixed use area including housing. In accordance with the Masterplan it is considered that this parcel should reflect the transition of the area from rural to urban incorporating 2 to 3 storey blocks, principally terraces with individual houses sandwiched in between or attached.
8. The design of the properties on this part of the site has previously been one of the key considerations. The Design Code confirms that the western side of the mixed use core will comprise housing. This is a key frontage and a strong design connection with the housing adjacent to the listed building will be required. The Design Code confirms that there will be no direct vehicular access to the dwellings from the distributor road.

9. The originally approved residential scheme for this parcel of land (along with the parcel directly to the north which Barratt Homes are responsible for developing) incorporated a much more dense form of development. The Committee report set out the following design considerations at that time:

The proposal incorporates a mixture of three storey apartment blocks and 2/2.5 storey terraced/ semi-detached houses. The Ambleside/ Buttermere apartment blocks are located on corner plots with open space and pedestrian access located to the front and side of the building. The buildings incorporate front projections, vertically proportioned windows and dormer style windows in the roof space. The Coniston apartments reflect large three storey dwellinghouses with a mix of brick and render. The dwellinghouses reflect more modern properties with dormer windows and front balconies.

The use of vertically proportioned windows, brick quoins and arched windows with the apartment buildings represent late 18th Century dwellinghouses whereas the more modern dwellinghouses with stone window surrounds and square windows represent mid 19th Century dwellinghouses which accords with the Design Code for this area.

10. The original reserved matters approval was granted to Eden Park Developments, who are responsible for the development of the retail parade, and when Redrow looked at the parcel in more detail amendments were suggested via the submission of reserved matters application 12/00148/REMMAJ. Whilst this reserved matters application related mainly to the land adjacent to Buckshaw Hall this parcel of land adjacent to the retail parade was also included within the red edge. On consideration of the proposals the following concerns were raised in respect of this specific part of the site:

When the design of the properties adjacent to the local retail centre was considered the apartment blocks incorporated front projections, vertically proportioned windows and dormer style windows in the roof space. The dwellinghouses reflected more modern properties with dormer windows and front balconies. It was considered that the use of vertically proportioned windows, brick quoins and arched windows with the apartment buildings represented late 18th Century dwellinghouses whereas the more modern dwellinghouses with stone window surrounds and square windows represent mid-19th Century dwellinghouses. This was considered to be in accordance with the Design Code for this area and reflected the adjacent character of the retail centre. These features appear to be reduced on the current proposals and I would advise reintroducing some of these features to ensure that the proposals reflect the aspirations of the Design Code and the character of the area.

11. The application was subsequently withdrawn and a revised reserved matter application submitted 12/00463/REMMAJ. The amended application incorporated a mixture of three storey apartment blocks and 2 storey maisonettes. The apartment blocks were located on corner plots with open space and pedestrian access located to the side and rear of the buildings. The approved dwelling houses were accessed via Buckshaw Avenue/Ordnance Road and parking was provided in the form of rear parking courts and parking to the front of the Evesham house type. The amended scheme ensured that the scheme reflected the adjacent character of the retail centre and was granted reserved matters approval.
12. The current proposals incorporate a standard housing layout introducing Redrow's Heritage range onto this parcel of land. Whilst it is acknowledged that the Southern Commercial Design Code is 7 years old now and the Design Codes at Buckshaw are ever evolving and developing documents to ensure that the developments reflect market/ design/policy changes this parcel of land is still very important in achieving a transition between the retail centre of the Village and the housing adjacent to Buckshaw Hall. As such the design/ layout considerations are a key element of the proposals which reflects the Government's core land use planning principles of always seeking to secure high quality design.

13. This principle is reflected within Policy 17 of the Adopted Central Lancashire Core Strategy and Policy BNE1 of the emerging Local Plan which, since the publication of the Inspectors Interim Report, can be afforded significant weight. The Policy states:

Planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that, where relevant to the development:

- a) The proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
 - b) The development would not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or overbearing;
 - c) The layout, design and landscaping of all elements of the proposal, including any internal roads, car parking, footpaths and open spaces, are of a high quality and respect the character of the site and local area;
 - d) The residual cumulative highways impact of the development is not severe and it would not prejudice highway safety, pedestrian safety, the free flow of traffic, and would not reduce the number of on-site parking spaces to below the standards stated in Site Allocations Policy – Parking Standards, unless there are other material considerations which justify the reduction;
 - e) The proposal would not adversely affect the character or setting of a listed building and/or the character of a conservation area and/or any heritage asset including locally important areas;
 - f) The proposal would not have a detrimental impact on important natural habitats and landscape features such as historic landscapes, mature trees, hedgerows, ponds and watercourses. In some circumstances where on balance it is considered acceptable to remove one or more of these features then mitigation measures to replace the feature/s will be required either on or off-site;
 - g) The proposal would not cause an unacceptable degree of noise disturbance to surrounding land uses;
 - h) The proposal includes measures to help to prevent crime and promote community safety.
14. This Policy is supported by the Central Lancashire Supplementary Planning Document 'Design Guide' which encourages high quality design of places, buildings and landscaping in the borough.
15. Reserved matters approval (12/01001/REMMAJ) was granted last year for 11 dwellings on the parcel of land immediately to the east of this application site. Formally offices were approved on this site however the land owners applied to erect dwellings on this site. The design and layout reflects an appropriate design solution for this part of the Village and should be reflected within the parcel of land subject to this application. The design and height of the adjacent dwellings forms a transition from the taller commercial units with apartments above to the lower density housing outside the commercial core.
16. When the similar scheme on this site was considered (13/00817/REMMAJ) concerns were raised about the layout of plots 1075-1077 which sought to replicate the 'semi-circular' treatment achieved on Parcel N. The agent for the application was advised of these concerns and advised that the most appropriate solution for this site would be to create a development which fronts directly onto the highway(s), incorporates a rear parking area, reflects the design of the adjacent retail centre utilising corner turning buildings on the corners of the site, utilise 2/2.5/3 storey dwellings directly fronting the

highway to create a vertical emphasis and respect an effective transition in density terms from the approved apartments on the retail area to parcel N (the approved density for this site has reduced significantly with the current proposals).

17. Within this parcel of land it is considered that dwellings should be sited on the corners of the development to provide a vertical emphasis and a frontage to the main public highway together with the properties being accessed via rear courtyard parking.
18. From a marketability perspective a recent S106A application by Redrow Homes within this part of the site (13/00785/S106A) which was approved by Members on 29th October 2013, subject to the legal agreement, specifically related to apartments. At this time Redrow acknowledged that the apartment market was very challenging however in that case the construction could proceed with Government initiatives such as Help to Buy. As such it isn't as 'clear cut' as saying apartments are unsellable.
19. The treatment of plots 1075-1077 still includes the 'semi-circular' feature and reflects the treatment on the opposite side of Ordnance Road. However on the opposite side of Ordnance Road this treatment/ layout was introduced to create a 'gateway' feature to Buckshaw Hall in accordance with the Design Code to create a defined access way to this heritage asset and the surrounding residential properties. A similar treatment is not required on this part of the site and will look particularly unusual as the Barratts scheme does not incorporate that same treatment and as such this treatment will not create a complete circle which may have been justified as an appropriate design solution.
20. This part of the site leads to a roundabout and office development and it is not considered necessary or acceptable to create a 'gateway' to these features half way down the distributor road. Additionally inclusion of this treatment on this part of the site will effectively diminish the effect of the existing 'gateway' feature to Buckshaw Hall which is currently created on site.
21. It is appreciated that Redrow Homes are striving to develop the site with a product that is in demand and will sell hence why they have introduced their Heritage Range, which has been very popular on the Village, onto this parcel of land. However it is not possible to develop this parcel of land with a standard housing layout whilst achieving the most appropriate design and layout solution. As such an innovative and non-standard solution needs to be considered. This approach has been established on the Barratts site, to the north of this parcel of land, where the recent replan (12/00787/REMMAJ) saw a reduction in the parcels density but incorporated Barratts contemporary first time buyer range which have a vertical emphasis and distinguish between the retail core and the more standard dwellings sited adjacent to the Listed Building.
22. The applicant has previously been advised that the dwellings should be sited at the back of footways, vertical emphasis is key, parking should be at the rear and the semi-circular 'gateway' feature should be removed. An apartment led solution could achieve all of the layout and design requirements however alternative solutions could also have the same result and compromises have previously been discussed with the applicants which included incorporating small private access roads with dwellings fronting the main distributor roads, having in-curtilage parking but disguising this at the rear/ side and creating rows of attached dwellings mixing in their Heritage range along with some 2.5 storey vertically proportioned dwellings to provide a vertical, dominant frontage along the distributor roads and the corners of the parcel. This would involve some innovation on the inclusion of the products that Redrow want to build if innovative parking solutions were considered (parking courts are not considered favourably by the applicant). However the layout as submitted results in a standard layout with no design reflection of the adjacent retail/ residential units. Amendments have not been requested as part of this application as this scheme reflects a previously refused layout on this parcel and the applicants have appealed the most recent refusal at this site. As such the Planning Inspector will determine the most appropriate design approach for this site.

23. The Council's Policy and Design Team Leader has previously reviewed the potential development of this parcel of land and considers that a scheme undertaken by Bardsley Homes at Worsley Village would be appropriate for this site as the detached dwelling successfully turn corners and the dwellings incorporate garage/ frontage parking whilst creating massing and scale. The applicants have been advised on the above concerns along with these suggestions for appropriate house types and layout.
24. Concerns have been raised previously in respect of the inclusion of blank facades/ frontages, the lack of considerations of appropriate focal point buildings and the inclusion of parking at the entrance which is a poor design solution.

Impact on Neighbours

25. The site is currently occupied by an earth mound which has been produced from the neighbouring parcels of land however when the site is returned to its post-remediation state it is effectively a flat site. In respect of the layout the scheme works purely in respect of the relationship of the proposed properties and the amenities of the future residents.
26. The layout as proposed effectively results in private garden areas adjacent to the parking court of the adjacent dwellings of the neighbouring piece of land however this reflects the approved layout for the application site which detailed plots 1090-1093 with private garden areas immediately adjacent to the parking court on the adjacent piece of land.
27. The properties on plots 6-11 of the adjacent piece of land are sited over 21 metres from the garden boundaries of the proposed dwellings and even though plots 7-9 incorporate 2nd floor bedroom windows the spacing is considered more than adequate to ensure that no overlooking will be created to the detriment of the future residents.
28. The dwelling on plot 1075 is a two storey semi-detached dwelling which incorporates 2 first floor rear bedroom windows. The window to bedroom 3 does not secure the required 10 metres to the rear garden area of plot 1 on the adjacent piece of land which will lead to an unacceptable level of overlooking. The suggested amendments to the layout set out above, including removing the semi-circle feature, would have addressed this however the layout has not been amended and this relationship is considered to be unacceptable.

Traffic and Transport

29. The scheme incorporates a mix of 3 and 4 bedroom houses. All of the properties incorporate parking in accordance with the Council's standards (2 and 3 parking spaces respectively) and the garage accommodation is large enough to accommodate a car and storage in accordance with Manual for Streets. The one exception to this is plot 1090 which is a 4 bedroom dwelling which only has sufficient space for 2 cars. Amendments to this plot are required to increase the driveway space.
30. The scheme also incorporates four 2 bedroom maisonettes which are effectively apartments. This part of the scheme only incorporates 150% parking provision whereas 200% parking is required in accordance with Emerging Local Plan Policy ST4. This parking provision does however reflect that previously approved within this parcel of land and due to this highly sustainable location a deviation from the standard is considered to be acceptable in respect of the criteria set out within Policy ST4.

Overall Conclusion

31. The proposals effectively create a standard housing layout on a parcel of land which was always envisaged to act as the transition parcel between the commercial core and the residential areas adjacent to Buckshaw Hall. The proposed scheme would create a low density development within an area of the site where the character of the area is higher density. The use dwellings, on the adjacent piece of land, sited at the back of the road/pedestrian frontage effectively creates an enclosed more traditional space which is considered more appropriate for this parcel of land than the current proposals.
32. Whilst it is acknowledged that there is a degree of flexibility within the approved Design Code, as this document should be treated as an evolving guide, it is not considered that

the amendments made to the scheme reflect the most appropriate solution for this parcel of land.

33. The dwellings approved on the adjacent piece of land respect the character and design principles of the commercial area by siting properties on the prominent corners, creating a vertical emphasis and siting the dwellings close to the road. Additionally all of the parking is located to the rear of the dwellings reducing its prominence within the streetscene.
34. It is considered that a suitable compromise could be achieved on this site which meets the applicant's aspirations, creates an attractive commercial product and respects the character of this part of the Village. The scheme as submitted however does not respect the character of this part of the Village nor does it represent a fluid transition between the commercial and residential parts of the site.
35. Policy 17 of the Core Strategy requires the design of new buildings to take account of the character and appearance of the local area and Policy BNE1 requires the layout, design and landscaping to be of a high quality and respect the character of the site and local area. For the reasons set out above it is not considered that the proposals are the most appropriate solution for this site, act as an effective transition between the areas or respect the character of the area and as such the application is recommended for refusal.

Planning Policies

National Planning Policies:

National Planning Policy Framework

Adopted Chorley Borough Local Plan Review

Policies:

GN2: Royal Ordnance Site, Euxton

GN5: Building Design and Retaining Existing Landscape Features and Natural Habitats

GN9: Transport Accessibility

EP18: Surface Water Run Off

HS4: Design and Layout of Residential Developments

HS5: Affordable Housing

TR1: Major Development- Tests for Accessibility and Sustainability

TR4: Highway Development Control Criteria

TR18: Provision for pedestrians and cyclists in new developments

Central Lancashire Core Strategy

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 NPPF. 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 7 Affordable Housing

Policy 17 Design of new buildings

Chorley Local Plan 2012 – 2026

The Inspectors Interim Report is expected imminently and as such the following policies are afforded substantial weight in decision making:

Relevant Policies are:

V2: Settlement Areas

ST4: Parking Standards

HS1: Housing Site Allocations
BNE1: Design Criteria for New Development.

Supplementary Planning Guidance:

- Southern Commercial Design Code
- 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)

Planning History

Reference	Description	Decision	Date
97/00509/OUT	Outline application for mixed use development	Approved	1999
02/00748/OUT	Modification of conditions on outline permission for mixed use development	Approved	2002
07/00660/FUL	Proposed formation of a detention basin off Central Avenue, Buckshaw Village, Chorley.	Approved	July 2007
08/01098/REMAJ	Reserved matters application for the erection of 84 apartments and 24 dwelling houses at the Southern Commercial Area, Buckshaw Village.	Approved	January 2009
08/01100/REMAJ	Reserved Matters Application for the Southern Commercial Area, Buckshaw Village. Including retail uses, residential, car parking, related infrastructure and landscaping.	Approved	January 2009
10/00237/DIS	Application to discharge condition no. 3 attached to planning approval 08/01100/REMAJ.	Discharged	April 2010
10/00334/FULMAJ	Application under Section 73 to vary Conditions 1, 5, 6, 12, 13 and 14 as attached to Planning Permission Reference 08/01100/REMAJ.	Approved	July 2010
10/00379/DIS	Discharge of condition nos. 4, 7, 8, 10 and 16 attached to planning approval reference 08/01100/REMAJ	Discharged	July 2010
10/00381/MNMA	Application for Minor Non Material Amendments to planning application 08/01100/REMAJ (Tesco store) and 08/01099/FUL (Tesco filling station).	Approved	May 2010
10/00591/FULMAJ	Erection of a railway station, access road and associated car parking at Buckshaw Village including parking provision on the south side of the railway.	Approved	August 2010
11/00141/DIS	Application to discharge the planning condition of planning		

	permission 10/00591/FULMAJ (for erection of a railway station, access road and associated parking and infrastructure at Buckshaw Village).		
12/00148/REMMAJ	Reserved matters application for the erection of 124 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village.	Withdrawn	
12/00463/REMMAJ	Reserved matters application for the erection of 123 dwellings with associated garaging, bin / cycle stores, parking areas, landscaping, roads, drains, sewers and boundary treatments at the Southern Commercial Area, Buckshaw Village (resubmission of application 12/00148/REMMAJ).	Approved	August 2012
13/00817/REMMAJ	Reserved matters application for the erection of 14 dwellings and 4 Maisonettes adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ).	Refused	November 2013
14/00264/REMMAJ	Reserved matters application for the erection of 19 dwellings adjacent to the retail area of the Southern Commercial Area (replan of the dwellings approved as part of reserved matters approval 08/01098/REMMAJ and 12/00463/REMMAJ)	Refused	June 2014
Adjacent parcels of land			
<i>Barratts</i> 12/00787/REMMAJ	Proposed residential development comprising 82 dwellings and associated works.	Approved	November 2012
<i>Eden Park</i> 12/01001/REMMAJ	Reserved matters application for the erection of 22 dwellings at the Southern Commercial Area, Buckshaw Village (pursuant to outline permissions 97/00509/OUT and 02/00748/OUTMAJ).	Approved	January 2013

Suggested Reasons for Refusal

No.	reason
1.	The proposed layout, design and density of the dwellings proposed do not respect of character or appearance of the surrounding area or secure high quality design and fails to take the opportunity for improving the character and quality of the Southern Commercial Area and the way it functions. It is considered important from a design perspective that this site provides a transition between the high density commercial centre and the dwellinghouses surrounding the Listed Building, Buckshaw Hall, which the proposals do not secure. As such the proposals are contrary to Government advice contained within the National Planning Policy Framework, Policies 5 and 17 of the Adopted Central Lancashire Core Strategy, Policy BNE1 of the Emerging Chorley Local Plan 2012-2026, guidance contained within the Central Lancashire 'Design Guide' Supplementary Planning Document and the Buckshaw Village Southern Commercial Design Code.
2.	The proposed dwelling on plot 1075 will create overlooking to the rear garden of the adjacent dwelling to the detriment of the future residents amenities. The proposals are therefore contrary to Policy HS4 of the Adopted Chorley Borough Local Plan Review 2003 and Policy BNE1 of the emerging Local Plan 2012-2026.
3.	The property on plot 1090 incorporates insufficient off road parking provision for the size of dwelling proposed which will be detrimental to the surrounding road network through the creation of on road parking. The proposals are therefore contrary to Policy TR4 of the Adopted Chorley Borough Local Plan review 2003 and Policy ST4 of the emerging Local Plan 2012-2026.