

Item 3c **14/00635/REMMAJ**

Case Officer **Caron Taylor**

Ward **Astley And Buckshaw**

Proposal **Reserved matters application for the erection of 64 no. residential dwellings and associated landscape and highway works (pursuant to outline permission ref: 13/00126/OUTMAJ).**

Location **Group 1, Euxton Lane, Euxton**

Applicant **Charles Church Lancashire**

Consultation expiry: **18th July 2014**

Decision due by: **5th September 2014**

Recommendation

The application is recommended for approval subject to the parking issues being overcome. This will be updated on the addendum.

Executive Summary

The principle of the development has already been established by outline permission 08/00910/OUTMAJ. The proposal is considered to comply with the Design Code for Group 1 apart from the parking levels. This has been raised with the applicant and will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

Representations

Euxton Parish Council has made no comments on the application.

No representations have been received on the application.
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Consultees

Consultee	Summary of Comments received
United Utilities	Have no objection subject to conditions.
Lancashire County Council Highways	Have no objections to the reserved matters application, however they suggest conditions relating to highway matters be attached to any permission.

Assessment

Background Information and Principle of the Development

1. The principle of the proposal has already been established by outline planning permission 08/00910/OUTMAJ, but all matters were reserved. This application is therefore applying for the access, appearance, landscaping, layout and scale of the proposal. The outline permission required a Design Code to be drawn up and this has been submitted to and approved by the Council. The application will therefore be assessed as to whether it conforms to the approved Design Code.

Design and Layout

2. The application site is within Plot H2 of the approved Design Code and is known as a 'Woodland Green' area. There are three such plots on the site, H2 being the largest. Plot H4 is the smallest and is within the Borough of South Ribble. Plot H3 is the medium sized one and is situated close to the border with South Ribble. Plots H3 and H4 both have full permission, H4 within South Ribble is constructed and occupied, Parcel H3 is currently under construction.
3. The approved Design Code shows this application parcel to be low density housing at a proposed density of 20-30 dwellings per hectare. The proposed layout is equivalent to 28.4 dwellings per hectare so complies with the Code. It also states that the parcel will have an informal layout with outward facing development creating an open aspect with passive surveillance of the surrounding mature woodland and public spaces. House types to be detached with in-curtilage parking and a mix of boundary types from open plan to native clipped hedge planting.
4. The layout incorporates informal streets and all the proposed houses are detached two-storey dwellings with in-curtilage parking.
5. Like on Parcel H3 the boundary treatments are important on this parcel given its relationship with the woodland. The properties are laid out so those on the outside of the parcel face towards the woodland to avoid the rear of properties backing onto the woodland and negate the need for secure rear boundaries. The Design Code states that the overriding consideration is for the development to respect the importance of the landscape setting. It is considered the outside facing layout respects the woodland setting and gives passive surveillance of the surrounding woodland. Where side gardens bound with the woodland the boundary will be hedgerow, details of which will be controlled by condition. This is considered to be in accordance with the Design Code.
6. The design of the properties incorporate front gables, porches, vertically proportioned windows with heads and sills. Some properties will incorporate integral garages, while others have detached garages.
7. The design and layout is therefore considered acceptable and in accordance with the Design Code.

Impact on the neighbours

8. The application site is set within a distinct parcel within the Group 1 site. There are no existing properties on or adjacent to the site and there will be no other parcels immediately adjacent to this one so there are no neighbour amenity issues outside the site.
9. Within the site, following the receipt of amended plans the proposal complies with the Council's interface distances and is therefore considered acceptable in terms of the relationships between the proposed properties.
10. All the proposed properties have conservatories on their rear elevations. If this application is permitted these would form part of the original dwelling in terms of future permitted development rights. Building further out than this could have significant impacts on neighbouring properties and therefore a condition is proposed preventing extensions being built off the rear elevation of the approved conservatories approved

under this but keeps the other permitted development rights of the properties intact.

Trees and Landscape

11. The Design Code states that there is a cluster of mature trees stand in the centre of the area and that these will be protected and incorporated into the housing layout. At the time of the site visit for this application there were not trees on the site to protect.
12. No landscaping scheme has been supplied with the application, it is considered an acceptable one can be achieved and a condition is therefore proposed controlling this.

Traffic and Transport

The site will be accessed from a single approach road that goes over Buckshaw Brook off the main spine road running through the wider development linking Central Avenue with Wigan Road. This will then divide off which will be a number of shared surface cul-de-sacs. This is as envisaged by the Design Code and is considered acceptable.

13. The Council's parking standards require 2/3 bed properties to have two parking spaces and 4 bed properties to have three spaces. Garages do count providing they are large enough to be a usable space. Not all the properties meet this requirement and this issue has been raised with the applicant. This issue will be updated on the addendum.
14. Garages counted as a parking space will be conditioned to prevent them being converted without express planning permission being granted.

Contamination

15. The site has been the subject of a separate application for remediation (ref: 09/00095/FULMAJ) and is not therefore a matter for this application. A precautionary condition is proposed that if during the earthworks exercise further contamination is found in close proximity to the streams and reservoir then the risk to controlled waters be re-assessed.

Drainage and Sewers

16. A drainage strategy in relation to surface water and flood risk forms part of the Design Code based around the current natural drainage catchments on the site, the aim of which is attenuating surface water runoff for all events up to and including a 100-year event, plus a 20% allowance for climate change and attenuation within the site for runoff above the existing 1-year, 15-minute runoff rate. There will be provision of attenuation on site in existing ponds with an additional attenuation feature in the northwest of the site. Standard piped drainage within the site will drain surface water runoff from hard standing areas to the attenuation areas.
17. A condition will be applied requiring specific details to be submitted for this parcel.

Sustainability

18. The proposal is a Reserved Matters application. The condition applied to the original outline permission for Group 1 (08/00910/OUTMAJ) was varied under permission ref: 13/00126/OUTMAJ to require the scheme to be built to Code for Sustainable Homes Level 4. A condition requiring details of how this condition will be met to be provided.

Legal Agreement

19. A legal agreement attached to the outline permission secures affordable housing provision across the site. This will not be provided on this parcel which has a character of larger dwellings but the developers will still need to incorporate the requirements across the other parts of the site and they have been made aware of this. The amount of affordable housing to be provided across the site of a whole has been reduced to 15% through application ref: 13/00649/FUL (permitted 20th September 2013) which was to vary the affordable housing obligations contained in the original legal agreement. The legal agreement also secured a transport contribution, on-site public open space, management details, highway improvements and reserves a school site for a set period if it is needed amongst other things.

20. The infrastructure and affordable housing provision related to the site has therefore already been secured through the outline permission.

Overall Conclusion

21. The principle of the development has already been established by outline permission 08/00910/OUTMAJ. The proposal is considered to comply with the Design Code for Group 1 apart from the parking levels. This has been raised with the applicant and will be reported on the addendum. Subject to these being acceptable the application is recommended for approval.

Planning Policies

22. In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Borough Local Plan Review 2003 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposals has had regard to guidance contained with the National Planning Policy Framework (the Framework), the development plan and the emerging Local Plan 2012-2026. The specific policies/ guidance considerations are contained within the body of the report.

Planning History

Reference	Description	Decision	Date
08/00910/OUTMAJ	Outline planning application for the redevelopment of land at Group One (Site Area 54.34 Hectares), Royal Ordnance Site, Chorley for mixed use development comprising housing and commercial uses (including uses A1, A2, A3, B1, B2, C1, C2 and C3 of the Town and Country Planning (Use Classes) (Amendment) (England) Order 2006) and associated landscape treatment and highway works. Permitted December 2009.	Permitted	21 st December 2012
09/00095/FULMAJ	Land reclamation and remediation earthworks to create a development platform at Group 1, Buckshaw Village (site area 54.34 hectares).	Permitted	22 nd December 2009
11/00403/OUTMAJ	Section 73 application to vary condition 29 (access on the A49) attached to outline planning approval 08/00910/OUTMAJ	Permitted	27 th July 2011
12/00475/FULMAJ	Section 73 application to vary condition 18 (southern boundary treatment) attached to planning approval 09/00095/FULMAJ	Permitted	4 th January 2013
12/00688/FUL	Construction of an access road leading from Central Avenue together with earthworks and landscape treatment associated with the realignment of watercourses	Permitted	2 nd November 2012

13/00126/OUTMAJ	Section 73 application to vary condition no. 17 (Code for Sustainable Homes) of planning permission no. 11/00403/OUTMAJ to remove the requirement for dwellings built post January 2016 to achieve Level 6	Permitted	17 th July 2013
13/00649/FUL	Application under Section 106 BA of the Town and Country Planning Act 1990 (as amended) to modify a planning obligation dated 22 December 2009.	Permitted	20 th September 2013

Recommended Conditions:

No.	Condition																														
1	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 2, Class A) (or any Order revoking and re-enacting that Order) no fences, gates or walls shall be erected within the curtilage of any dwelling hereby permitted (other than those expressly authorised by this permission) or on the boundary of the site.</p> <p><i>Reason: To protect the appearance of the locality and to ensure a satisfactory relationship is maintained with the immediate surroundings.</i></p>																														
2	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <table border="0"> <tr> <td>Plan Ref.</td> <td>Received On:</td> <td>Title:</td> </tr> <tr> <td>CC/HHT01</td> <td>9th June 2014</td> <td>The Hilliard House Type</td> </tr> <tr> <td>CC/HGHT</td> <td>9th June 2014</td> <td>The Hogarth</td> </tr> <tr> <td>CC/LHT</td> <td>9th June 2014</td> <td>The Lewis House Type</td> </tr> <tr> <td>CC/DHT</td> <td>9th June 2014</td> <td>The Danby House Type</td> </tr> <tr> <td>CC/BGHT</td> <td>9th June 2014</td> <td>The Burgess House Type</td> </tr> <tr> <td>CC/CVHT</td> <td>9th June 2014</td> <td>The Calvert House Type</td> </tr> <tr> <td>CC/BHT</td> <td>9th June 2014</td> <td>The Burton House Type</td> </tr> <tr> <td>CC/HAHT</td> <td>9th June 2014</td> <td>The Harley</td> </tr> <tr> <td>PL/CONS-01</td> <td>9th June 2014</td> <td>Typical Optional Conservatory</td> </tr> </table> <p><i>Reason: For the avoidance of doubt and in the interests of proper planning.</i></p>	Plan Ref.	Received On:	Title:	CC/HHT01	9 th June 2014	The Hilliard House Type	CC/HGHT	9 th June 2014	The Hogarth	CC/LHT	9 th June 2014	The Lewis House Type	CC/DHT	9 th June 2014	The Danby House Type	CC/BGHT	9 th June 2014	The Burgess House Type	CC/CVHT	9 th June 2014	The Calvert House Type	CC/BHT	9 th June 2014	The Burton House Type	CC/HAHT	9 th June 2014	The Harley	PL/CONS-01	9 th June 2014	Typical Optional Conservatory
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3	<p>If during the earthworks further contamination is found in close proximity to the streams and reservoir (that has not been covered by the existing remediation strategy at the site) then the risks to controlled waters will need to be re-assessed. If so the development shall cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority and the development shall then only be carried out in full accordance with the approved remediation proposals.</p> <p><i>Reason: Shallow groundwater has been found as perched water bodies within the made ground and granular layers within the glacial clays. Hotspots of contaminated groundwater have been identified. However, there is no evidence of a continuous shallow groundwater body that is in continuity with the surface waters at the site. To protect the environment and prevent harm to human health, by ensuring the site is suitable for the proposed end-use.</i></p>																														
4	<p>The development hereby permitted shall not commence until full details of foul and surface water drainage arrangements including a scheme for the provision and implementation of a surface water regulation system has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be completed in accordance with the approved details prior to the first occupation of</p>																														

	<p>any dwelling on the site and retained and maintained as such at all times thereafter.</p> <p><i>Reasons: To reduce the increased risk of flooding.</i></p>
5	<p>Prior to the commencement of development samples of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.</p> <p><i>Reason: To ensure that the materials used are visually appropriate to the locality.</i></p>
6	<p>Before the commencement of any particular dwelling, full details of the onsite measures to be installed and implemented for that property to reduce carbon emissions of predicted energy use by the figure set out in Policy 27 of the Core Strategy shall have been submitted to and approved in writing by the Local Planning Authority. The submitted scheme shall include full details of the predicted energy use of the development expressed in terms of carbon emissions and how energy efficiency is addressed. The approved details shall be implemented in full and retained thereafter.</p> <p><i>Reason: To ensure the development is in accordance with Government advice contained in the NPPF and Policy 27 of the Core Strategy.</i></p>
7	<p>Each dwelling hereby permitted shall be constructed to achieve Level 4 of the Code for Sustainable Homes.</p> <p><i>Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.</i></p>
8	<p>No phase or sub-phase of the development shall begin until details of a 'Design Stage' assessment and related certification have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out entirely in accordance with the approved assessment and certification. Within 6 months of completion of that dwelling a Final Code Certificate shall be submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the development is in accordance with the NPPF and in accordance with Policy 27 of the adopted Core Strategy.</i></p>
9	<p>Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (Schedule 2, Part 1, Class A) or any Order revoking or re-enacting the Order, no extensions shall be undertaken that would be built off the rear elevation of the conservatories approved under this permission (for clarity the rear elevation is defined as the elevation parallel with the rear elevation of the dwelling), without express planning permission being granted.</p> <p><i>Reason: To protect the amenity of adjoining properties.</i></p>
10	<p>Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on the approved plans, shall have been submitted to and approved in writing by the Local Planning Authority. This shall specifically include details of the hedge with stock proof fence shown on the approved site layout. 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.</p> <p><i>Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents.</i></p>
11	<p>The development hereby permitted shall not commence until full details of the</p>

	<p>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.</p> <p><i>Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.</i></p>
12	<p>Before the dwellings hereby permitted are occupied the driveways and vehicle manoeuvring areas shall be surfaced or paved, drained and marked out all in accordance with the approved plan. The driveways and vehicle manoeuvring areas shall not thereafter be used for any purpose other than the parking of and manoeuvring of vehicles.</p> <p><i>Reason: To ensure adequate on site provision of car parking and manoeuvring areas.</i></p>
13	<p>The integral/attached or detached garage(s) of any properties hereby approved that have 4 or 5 bedrooms shall be kept freely available for the parking of cars and shall not be converted to living accommodation, notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, unless the property still has three off-road parking spaces..</p> <p><i>Reason: To ensure adequate garaging/off street parking provision is made/maintained and thereby avoid hazards caused by on-street parking and to safeguard the visual amenity of the area.</i></p>