
Appeal Decision

Hearing held on 16 September 2014

Site visit made on 16 September 2014

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 25th September 2014

Appeal Ref: APP/D2320/A/14/2222150

Land off Ordnance Road, Buckshaw Village, Southern Commercial, Chorley, Lancashire.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
 - The appeal is made by Redrow Homes (Lancashire) Ltd against the decision of Chorley Borough Council.
 - The application Ref 14/00264/REMAJ, dated 10 March 2014, sought approval of details pursuant to condition No 1 of a planning permission Ref 9/02/00748/OUTMAJ, granted on 16 December 2002.
 - The application was refused by notice dated 11 June 2014.
 - The development proposed is the erection of 19 dwellings and associated garages, landscaping, roads, parking areas, drains, sewers and boundary treatments.
 - The details for which approval is sought are: access, appearance, landscaping, layout and scale.
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Decision

1. The appeal is dismissed.

Procedural Matter

2. The *Chorley Local Plan 2012 – 2026* (CLP) is at an advanced stage in its preparation. The Inspector's Partial Report found that the plan was sound with the exception of matters relating to Gypsies and Travellers and indicated that subject to the modifications set out in the report, significant weight could be given to policies that are amended accordingly. In the light of this, I consider it appropriate to give significant weight to Policy BNE1 of the CLP referred to by the Council in its reason for refusal because it is likely to be adopted in its current form.

Main Issue

3. The main issue in the appeal is the effect of the proposed development on the character and appearance of the surrounding area.

Reasons

4. The appeal site is an L-shaped site located close to the retail centre for the Buckshaw Village development. Two sides of the site front onto Ordnance Road, the main loop road that runs through this area. Part of the site also lies immediately adjacent to Barnes Wallis Way. This forms part of a pedestrian

- and cycleway that links the northern residential areas, the retail centre and the railway station on the southern edge of the village and was a key principle in the *Buckshaw Southern Commercial Area Design Code (November 2006)* (DC). Notwithstanding the fact that, for operational reasons, the location of the station had to be altered slightly, this remains a key route through the village.
5. At present the retail centre consists of a supermarket and associated car parking and a row of shops with apartments above them. A similar row of shops with apartments above is proposed on the opposite side of Barnes Wallis Way. The shops have been built close to the back of the pavement and have been designed with a mixture of more modern and traditional shop fronts to help to create the feel of a typical high street that has evolved over time. The row of shops are three storeys in height and whilst the supermarket is lower, the towers on its corners add to its scale and height so that it does not appear out of keeping with the other retail development and contributes to the high density character of the centre.
 6. The design and layout of the residential areas that have, or that are in the process of being built, in the vicinity of the retail centre reflect their location close to the higher density retail core. Although incorporating a variety of both modern and more traditional designs, their position close to the footway with car parking to rear, together with their height and massing gives this locality a different and more urban character. This contrasts with the more traditional suburban layouts and designs found on the residential areas on the other side of Ordnance Road and Buckshaw Avenue and is important in creating legibility in the overall development. In addition, whilst the mixed use core of the village may not spread out along the corridor to the extent proposed in the DC, the stretch of the route between Buckshaw Avenue and Ordnance Road, still largely respects the aspirations of the DC.
 7. The location of the appeal site between the retail core and Ordnance Road means that it forms a part of this more urban area and it is important that the scale, massing and layout of its development reflects this. The site's frontages to both Ordnance Road and Barnes Wallis Way increases the importance of ensuring that these very visible edges have the distinctive urban character that has been established on the other residential schemes surrounding the retail centre.
 8. The appellants have argued that the location of the supermarket car parking along the southern end of Barnes Wallis Way, together with the repositioning of the railway station, prevents the continuation of this urban corridor to its junction with Ordnance Road and beyond to the station. In their view, this reduces the need for the site to provide a transition between the more high density retail core and the more suburban housing areas.
 9. However, I do not agree. It is unfortunate that the station had to be repositioned as it means that, other than the supermarket, the town centre is not visible from the station entrance. In addition I agree that the supermarket car parking fronting Barnes Wallis Way is not ideal in design terms. Nevertheless, I consider that this increases the important role the site, and in particular the corner of Barnes Wallis Way and Ordnance Way, has in providing the necessary legibility to the area and a sense of arrival to the centre.

10. The proposed development would have a two storey block of flats located along the frontage to Barnes Wallis Way. Whilst this would be set relatively close to the back of the pavement, its limited height and the presence of the rear garden for plot 1104 and the car parking for the apartments on either side would mean that the massing along this frontage would be inadequate. As a result the proposal would not continue the strong urban feel created by the development currently being undertaken to the immediate north east of the site and would be detrimental to the character and appearance of the area. In particular the car parking on the corner would not create the strong corner feature needed at this location.
11. The rest of the proposal consists of two storey detached and semi-detached houses, the majority of which would front towards the western boundary with Ordnance Road. The scale and massing of these houses, together with the fact that they are set back from the road frontage by an access road gives the development a suburban layout that would be out of keeping with the more urban development surrounding the retail centre. Whilst I note that the houses to the north of the service road do not front Ordnance Road as is proposed here, the massing and height of these houses and their limited set back from the road, together with the large habitable room windows facing the road, is sufficient to ensure that they create the necessary strong presence along this frontage.
12. The windows and doors in the houses on the appeal site would have a vertical emphasis. This, together with the limited range of materials and the proposed boundary treatments, would give a contemporary feel to the scheme, which would contrast with the more traditional suburban housing design utilised on the development on the opposite side of Ordnance Road. However, these design features would not, in themselves, be sufficient to give the proposal the high density, urban appearance required by its location.
13. I note the concerns expressed by the appellant regarding the apartment market. However, I observed during my site visit that apartments are not the only way that buildings of an appropriate scale and mass can be provided, as a number of the other developments in the immediate area included a large number of houses, yet their layout and design create a distinctly urban feel.
14. Overall therefore, I consider that the proposed development would not respect the character and appearance of the surrounding area. As such it would be contrary to Policies 5 and 17 of the *Central Lancashire Core Strategy (adopted July 2012)* and Policy BNE1 of the CLP which seek to ensure that new development does not have a detrimental impact on the character and appearance of the local area through its density, scale, layout, massing, height and design.

Conclusion

15. For the reasons set out above, I conclude that the appeal should be dismissed.

Alison Partington

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

Graham Trehwella	Cass Associates
Richard Roberts B Arch (Hons) RIBA MSc	Cass Associates
Robin Buckley	Redrow Homes

FOR THE LOCAL PLANNING AUTHORITY:

Nicola Hopkins	Chorley Borough Council
Peter McAnespie	Chorley Borough Council

DOCUMENTS SUBMITTED AT THE HEARING

- 1 Hearing Notification Letter submitted by the Local Planning Authority
- 2 Decision Notice for Planning Application 9/02/00748/OUTMAJ submitted by the Local Planning Authority
- 3 Decision Notice and Site Layout Plan for Planning Application 14/00662/REMAJ submitted by the Local Planning Authority