

14/00849/FUL

Case Officer Caron Taylor
Ward Clayton-le-Woods And Whittle-le-Woods
Proposal Erection of 8 no. detached houses with garages and associated infrastructure
Location Land On Bank Of Quarry Hill
Hill Top Lane
Whittle-Le-Woods
Applicant Fellows Homes Ltd
Consultation expiry: 5th December 2014
Decision due by: 22nd December 2014

Recommendation

It is recommended that the application is approved subject to conditions.

Representations

Whittle-le-Woods Parish Council

Strongly object to the application.

It is acknowledged that this land is included in the Local Plan for development, however, since the Local Plan has progressed forward, permission for 85 houses in Little Quarries, Hill Top Lane, not in the Local Plan, has been granted (12/01134/OUT/MAJ). Indeed, the quarry land was rejected for inclusion in the Local Plan as a development area.

Chorley Old Road is now virtually a single track carriageway due to resident parking (they have nowhere else to park). Exiting from Hill Top Lane is a dangerous operation.

It is well known that the traffic congestion along Chorley Old Road and at its junction with Hill Top Lane is a constant bone of contention with all residents who travel in this area. Any increase in traffic will drastically exacerbate this problem.

Also the proposed site is in an elevated situation being much higher than Hill Top Lane. Any development would dominate the area and severely overlook existing properties. The land needs to be lowered to the same level as Hill Top Lane before any development takes place.

This application would have been acceptable traffic-wise had the 85 houses not been approved.

Nine representations have been received to the initial notification of the plans which are summarised below:

Objection	Support
Total No. received: 7	Total No. received: 2
<ul style="list-style-type: none">• Access to Hill Top Lane is already a serious issue. There are no parking restrictions at the junction of Hilltop Lane with Chorley Old Road, and vans/cars are often parked on both sides of the junction, and both sides of the road. Access to Chorley Old Road is already problematic as you can't	<ul style="list-style-type: none">• This development is good use of land that was at least 150 years ago a small working quarry;• It has been allocated in the local plan as suitable for housing, thereby meeting all the requirements for sustainability in transport, schools, doctors, etc;

<p>see over the roof lines of other cars to pull out. The addition of extra houses, will exacerbate what is already a dangerous situation;</p> <ul style="list-style-type: none"> • The new access road is too close to the existing access that serves the rear of the properties on Chorley Old Road; • The access road to the rear of Chorley Old Road is affected. They have to reverse out of it and it is a blind spot which will be made worse; • The road will be going across private land; • What precautions are being taken to protect children from the new proposed development falling into the quarry?; • Although this land is earmarked for development in the Local Plan, it was not envisaged at its inception that there would be another 85 houses to contend with. The application for houses on this elevated site means that they would dominate the area and drastically change the street scene; • The land needs to be lowered to the level of Hill Top Lane. It would be better for bungalows, better still sheltered accommodation, which would have less of an impact on the traffic and on the street scene; • Object to the removal of protected trees, this should not be overruled. If it is approved then mature trees should replace them; • Planting of silver birch proves no substitution for the existing trees; • To gain the required sight lines it is only requires to remove two sycamores which would make the proposal more acceptable; • The houses are too close to the road and will be very obtrusive to neighbouring properties. The three properties proposed on the land edge will dominate the skyline and will cause loss of light and overlooking to properties on Hill Top Lane; • The height of the land will cause overlooking to the rear of the properties on Chorley Lane; • Consideration of using localised stone should be considered so they fit in with local properties. Stone walling should also be considered; • What controls will therefore be to control traffic on the lane, restrict parking etc?; 	<ul style="list-style-type: none"> • The development is well planned by a local architect so as not to overlook anybody in the vicinity. It's also planned to be built by a local building firm; • The development will greatly improve the area, creating a corridor to the future 80 plus houses planned for further up Hill Top Lane. Whittle-Le-Woods is still a lovely village; • With the upturn of the economy it is situated in a commuter area to Preston, Chorley, Manchester and will encourage families to move into this area and thereby boost the local economy; • The proposal will create more homes for families in the area to move to; • It is not going to be a massive estate and will not therefore increase the volume of traffic that much on Hill Top Lane; • It will improve the village and may help local businesses.
---	--

<ul style="list-style-type: none"> Residents of Chorley Old Road have concerns regarding access to the road; Where will the properties on Chorley Old Road place their bins on collection day as the current pick-up point is where the access road will be situated? 	
Following re-consultation on amended plans the following representations have been received:	
Total No. received: 5	
Objection	
<ul style="list-style-type: none"> The distance still does not stop the imposing height of the houses to the properties on Hill Top Lane. Bungalows should be considered; The tree removal is still unacceptable; The proposed tree planting on steep banking is impractical; They re-iterate the highway issues raised above; The quarry should be infilled before any future developments on Hill Top Lane takes place; The proposal seems to include part of their garden; They were hoping for a pavement on both sides of Hill Top Lane which they understand would have happened if the exit was further up Hill Top Lane; They are concerned that bins will be left in the bin collection area all week and will be unsightly and could attract vermin. 	

Consultees

Consultee	Summary of Comments received
United Utilities	State they are happy with the drainage layout proposals in principle but suggest a condition requiring the discharge rates to the public sewer to be agreed in writing with the local planning authority, prior to commencement.
Planning Policy Team on Public Open Space	There is a requirement for a financial contribution towards amenity greenspace, natural/semi-natural greenspace, allotments and playing pitches from this site totalling £18,488 based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the Open Space and Playing Pitch Supplementary Planning Document.
Council's Tree Officer	There is a group of trees adjacent the access road located to the north west of the site adjacent Hill Top Lane consisting mainly of semi mature and early mature sycamore, ash and silver birch. This group is subject to a Tree Preservation Order. The trees have some visual amenity, forming a screen and natural boundary to the site. Individually the trees are of low quality with limited merit, but have a greater collective landscape value.
Council's Contaminated Land Officer	Request a condition in relation to site investigation.
Lancashire County Council Highways	<p>The proposed plan shows that the access will be 5.5m wide with 6.0m corner radii. This should be sufficient to ensure smooth transition to and from Hill Top Lane.</p> <p>Visibility splay of 2.4m x 60m was to be provided in the easterly direction of the access. This seems more than the 2.4m x 43m splay required, however, no harm will be caused when a longer horizontal distance is provided. The proposed visibility splay is</p>

	<p>therefore acceptable.</p> <p>Amended plans have been received showing a reduction in the width of the road further into the site to 4.8m with a footpath along one side. They consider this acceptable.</p> <p>Double integral garages are proposed for Plots 3, 5, 7 and 8, while Plots 1, 2, 4 and 6 are to be provided with double detached garages. The integral garages are to be provided to the recommended size of 6.0m x 6.0m, however, a sub-standard size of 5.5m x 5.4m is proposed for the detached garages. The applicant should consider whether this size is adequate to freely allow the garage to be accessed and egressed and safely allow car doors to be opened while at the same time providing storage for such items as bicycles.</p> <p>Each plot is proposed to be developed into a 4-bedroomed house, except Plot 1 which would have 6-bedrooms. From the above; and given the available spaces within each plot, they have no doubt that the parking provision can be attained for each property.</p> <p>It is a core strategic objective of Chorley Council to promote more sustainable modes of transport. The only highway improvement considered essential for this development is an improvement to the existing bus stop near the junction of Chorley Old Road and Hill Top Lane (outside no. 127 Chorley Old Road). As a guide, the cost of improvement to this bus stop to quality standard with shelter, raised kerbs, clearways (if necessary) etc. is estimated to be in the region of £12,000 which would be secured through a Section 106 agreement.</p> <p>Overall, they have no highway objections to the proposal. They suggest planning conditions that should be attached to any approval.</p>
Council's Conservation Officer	<p>The application site is relatively close to a listed building, the tunnel portals to the former Leeds and Liverpool Canal which are defined as a designated heritage asset by Annex 2 to the Framework (National Planning Policy Framework), and to a number of locally important buildings, namely a row of cottages at 122 – 138 Chorley Old Road which are defined as heritage assets by Annex 2 to the Framework.</p> <p>In this case such is the unusual topography of the site and the surrounding area that the designated heritage asset will be invisible and the heritage assets will be virtually invisible from the site. That being the case they consider that the significance of both sets of assets will be sustained as a result of the proposed development. They therefore consider that the proposed development is in accordance with the policies and is consequently it is acceptable.</p>
Police Architectural Liaison Officer	<p>Crime levels in this location are low; however the quarry is a concern as youths are drawn to the area. In recent times the lake within the base of the quarry has claimed the life of a young man. It is on that basis that consideration should be given to the boundary treatments being robust and fit for purpose.</p> <p>As for the remainder of the proposed design of the development they have no observations to make that would assist planners.</p>

Assessment

Principle of the development

1. In the existing adopted Local Plan (2003) the site is designated as Safeguarded Land, however, the Inspector has issued a partial report on the findings into the soundness of the emerging Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. The emerging plan has been found to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers.
2. The Council accepted the Inspector's modification for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be given to the Inspector's report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
3. The site is part of a wider proposed housing allocation in the emerging Local Plan under Policy HS1.44, so housing development on the site is acceptable in principle.
4. In terms of phasing Policy HS2 of the emerging Local Plan sets out an indicative phasing schedule and this allocation is scheduled for the second phase 2016 – 2021. However, as set out in the pre-ambule to the policy it is not the intention that the indicative phasing will be used to prevent development coming forward at an earlier phase than indicated, but in delivering a flexible and responsive supply of housing land, it will be necessary to consider the impact on infrastructure.

Affordable housing and viability

5. Policy 7 of the adopted Core Strategy requires affordable housing to be provided on sites of 15 or more dwellings or 0.5 hectares in size at a level of 30%.
6. The planning statement accompanying the application states that affordable housing is not proposed on this site as the site area falls below the threshold set out by local policy. The site is 0.49 hectares and proposes 8 dwellings and therefore on its own is below the threshold for affordable housing, although it is accepted that the site is part of a wider housing allocation.
7. The total allocation is 0.9 hectares in size and is envisaged to provide 22 dwellings under policy HS1. The current application site covers approximately 0.49 hectares of the whole allocation and proposes 8 dwellings resulting in a density of development of 16.3 dwellings per hectare. To fit a total of 22 dwellings on the whole allocation as set out in Policy HS1 would require 14 dwellings to be built on the remaining part of the site. This would result in a development density of 34.1 dwellings per hectare. This is not considered realistic for the other part of the site. If the other part of the site was built out at the same density as the current application it would lead to 7 dwellings on the rest of the site (15 dwellings on the whole allocation).
8. As stated above the whole allocation is 0.9 hectares in size, however the topography of the site means that not all the area is developable and this is the reason for the lower density proposed on the site. A topographical plan has been provided for the whole site. The area not forming part of this application but part of the wider allocation is an area of steep banking to the rear of the properties on Chorley Old Road. There is approximately a 9m level difference from the bottom to the top of the banking rising upwards away from the rear of the properties on Chorley Old Road. Given its topography it is not considered that more than 7 dwellings could be developed on this land and it is unknown whether this area of land could actually be developed at all so that it has an acceptable relationship with the neighbouring properties on Chorley Old Road. It is therefore considered unreasonable to require affordable housing provision on this part of the site when it may be that the wider area cannot be developed and therefore the site area of development would be 0.49 hectares, lower than the 0.5hectare threshold for requiring affordable housing.

9. Notwithstanding this a viability assessment has been submitted with the application in relation to public open space payments that would normally be required by policy and a request for money towards the upgrading of a bus stop by LCC Highways. This has been considered by the Council's surveyors and they advise that the development costs are high for the site [due to earthworks] along with abnormal costs for foundations. They advise the selling prices appear a little cautious but advise this is justified in the current market. The margin between selling prices and development costs is relatively small when fees, marketing, land value and profit are taken into account and a slight variation of increased costs may impact negatively on the viability. The profit is less than usual market standards. They conclude that there is not enough room for further funds between the selling process and the overall construction costs without reducing the profit further, to ask for the public open space payments or the sum for the bus shelter works. They also confirm there would therefore be no funds for affordable housing if it was considered there was justification for it on site.

Density

10. Policy 5 of the Core Strategy states that the authority 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.
11. Given the site restraints 16.3 dwellings per hectare is considered an acceptable density. It is considered a denser scheme would look unacceptable in relation to Hill Top Lane as the site is prominent in the streetscene. The section of Hill Top Lane adjacent to the site has the characteristics of a country lane and as the houses would be higher than the road it is not considered a denser scheme would be unacceptable on visual grounds.

Levels

12. The site is elevated above Hill Top Lane with the majority of the site on a plateau above the road. There is a rock outcrop in the northeast corner of the site, with two existing access points, one in the northwest corner of the site adjacent to an access track to the rear of the properties on Chorley Old Road and a second access point onto the site is found on the north boundary near to the rock outcrop in the northeast corner which has a ramped track from road level onto the plateau of the site. The land drops away almost vertically into the quarry immediately to the east.
13. The proposal would result in changes to levels on the site. The existing plateau above Hill Top Lane would remain but to the east the rock outcrop would be removed to lower the levels.
14. Near the centre of the site on the northern boundary and further south, closer to Chorley Old Road the banking against Hill Top Lane would be re-profiled so it is not as steep as at present and retained by the new low stone retaining wall.
15. Within the site the ground will be re-profiled to form a flatter development platform and to form the new access road serving the properties.

Impact on the neighbours

16. The existing properties on Chorley Old Road and Hill Top Lane will be affected by the proposal.
17. Hillside Cottage (1 Naylor's Fold) and The Bungalow (2 Naylor's Fold) are opposite the application site on Hill Top Lane but are lower than Hill Top Lane. There are two garages adjacent to The Bungalow with parking in front of them that are a similar level to the road. The properties themselves are at a lower level than Hill Top Lane and therefore at a significantly lower level than the application site and the proposed properties.
18. There are three proposed properties on the north boundary of the site, side on to Hill Top Lane. The proposed properties on plots 7 and 8 would have their side elevations facing towards 1 and 2 Naylor's Fold. There would be two small windows in the side elevations

of each of these properties serving either a WC or a utility room. It is not therefore considered that they would cause overlooking towards Naylors Fold as obscure glazing in these windows can be controlled by a condition. The property on Plot 1 in the northeast corner of the site would also be side on to Hill Top Lane but its side elevation would not face onto the existing properties as it is further away. The main windows in all these properties would face east and west rather than north towards Naylors Fold.

19. The properties on plots 2-5 would back onto the quarry or the land to the south. Each of these properties would have at least 10m between their first floor windows and the boundary of their rear gardens in line with the guidance to so as not to prevent future development on the adjacent land. The rear windows of the property on plot 6 would face towards the side boundary of plot 5 at a distance of approximately 10.8m which is in excess of the 10m guideline. These relationships are considered acceptable.
20. The rear elevations of the properties to the west on Chorley Old Road face towards the site. Two properties on plots 6 and 7 will face towards them. There will be approximately 24m from the front elevation of the property on plot 7 and the rear garden boundary of the properties on Chorley Old Road and approximately 34m between the front windows of the property on plot 6 and the boundary. Although at a higher level due to the distance between them this relationship is considered acceptable.

Design and layout

21. The proposed properties are all detached two storey houses, except the property proposed on plot 1 which has small dormers in its front elevation making use of room in the roof. They are set around the access road which terminates in a turning head adjacent to plot 1. The properties have front gables, some with bay windows and all have chimneys.
22. At the request of the case officer the properties on plots 7 and 8 adjacent to Hill Top Lane are to have a finish of reconstituted stone gable ends facing Hill Top Lane with render front and rear elevations. The retaining wall to Hill Top Lane is to be a stone wall. These materials are considered more appropriate for these properties as they will be highly visible from Hill Top Lane and a stone/reconstituted stone finish is considered more appropriate to the rural nature of the lane. The property on plot 1 also side on to Hill Top Lane is proposed as red facing brick, rather than stone. This has been raised with the agent and this matter will be updated on the addendum.
23. The properties within the site would be less visible in the streetscene and it is considered a suitable palette of materials could be agreed by a condition.

Open Space

24. The Council's Planning Policy team advise there is a requirement for a financial contribution towards public open space in the form of amenity greenspace, natural/semi-natural greenspace, allotments and playing pitches from this site totalling £18,488 based upon the standards within emerging Local Plan Policies HS4A and HS4B and the approach in the Open Space and Playing Pitch Supplementary Planning Document. This would be normally secured through a Section 106 agreement.
25. The Government made changes to the National Planning Practice Guide on Planning Obligations on 28th November in relation to obligations on small sites. Notwithstanding this however, as discussed and accepted above it has been established through a viability appraisal that the scheme would not be viable with the public open space payment [or other payments] and therefore this is not requested for the scheme.

Traffic and transport

26. There are currently two access points to the site, one in the northwest corner and one further along Hill Top Lane. It is considered essential to provide pedestrian access into the site via a footway as well as a vehicular access. There is no pavement alongside the site at present on Hill Top Lane and due to the level differences it is difficult to create one of the necessary width. Therefore the access in the northwest corner is to be retained and

upgraded where the existing footpath leading from Chorley Old Road and Hill Top Lane can be continued into the site. The original plans showed a 2.4m x 60m visibility splay to be provided in the easterly direction from the upgraded access point. LCC Highways advised this was greater than required and only 2.4m x 43m is needed. It was therefore reduced to the 2.4m x 43m. This allows more of the existing verge along Hill Top Lane to be retained and is considered favourably. The second existing access to the site will be closed.

27. Following the discussions with LCC Highways after their comments were received, the Highways Engineer has advised that a 4.8m wide carriageway within the site is acceptable provided that a 5.5m width is maintained for at least 10m back from the entrance to the site. An amended plan has been received showing 5.5m maintained for approximately 30m, in excess of what is required by LCC and then reduces to 4.8m with a footway on one side. This has allowed plots 7 and 8 to be pulled away from Hill Top Lane slightly. Access gates into the proposed cul-de-sac are proposed. LCC Highways find these acceptable as there is room for two cars to pull clear of Hill Top Lane in front of the gates even though they open outwards (which is necessary due to the incline of the access road into the site). The gates have also been discussed with the Council's waste collection team who advise that gates are acceptable provided refuse vehicles can gain access to the site without needing a key or code for it. The agent advises the gates will be electric sensor activated and will therefore allow access.
28. In accordance with the parking standards set out in policy ST4 of the emerging Local Plan 2012-2026 the properties require at least three off road parking spaces each. All of the proposed properties benefit from this. The comments of LCC Highways regarding the size of the double garages are noted, however only plot 3 relies on one half of a double integral garage to meet the parking standard and this can be controlled by a condition. The parking is therefore considered acceptable.
29. Access is maintained to the access track to the rear of the properties fronting Chorley Old Road via a dropped kerb off the new access road.
30. Comments have been made regarding collection of the bins of the properties on Chorley Old Road. Residents bring their bins down the access track to the rear of their properties and currently leave them at the existing access to the site off Hill Top Lane. This situation will remain but the bins will be brought to the dropped kerb off the new access road into the site. To facilitate this and prevent an overflow of bins blocking the access road a small area in front of plot 7 has been created for bins to be placed on collection day.
31. The comments of one of the neighbours are noted regarding backing out of the access track to the rear of the Chorley Old Road properties onto Hill Top Lane. It is considered that the proposal will improve this situation as the junction with Hill Top Lane will have the required visibility splays unlike at present.
32. An outline application for up to 85 dwellings 12/01134/OUTMAJ was permitted in 2013 on the Little Quarry site on Hill Top Lane. However, it is not considered that eight additional dwellings on this site would cumulatively result in the impacts of development being severe and therefore unacceptable in accordance with the National Planning Policy Framework.

Trees and landscape

33. A Tree Preservation Order (TPO) was placed on the trees in the northwest corner of the site in 1997 following concern they may be felled. Eight trees are covered by the TPO, six sycamores, one ash and one silver birch. They are self-sown trees growing on the banking and most are multi-stemmed. Ten trees are shown to be removed on the plan to ensure sufficient visibility from the access point, two of which are not protected.
34. A tree survey accompanies the application carried out in accordance with the British Standard 5837:2012 Trees in relation to design, demolition and construction–

Recommendations. This shows the ten trees on the site (including those protected by the Tree Preservation Order) all to be Category C. Category C relates to trees that are low quality and value.

35. Policy BNE10 of the emerging Local Plan covers trees and states that proposal that would result in the loss of trees, woodland areas of hedgerows which make a valuable contribution to the character of the landscape, a building, a settlement or the setting thereof will not be permitted. Replacement planting will be required where it is considered that the benefit of the development outweighs the loss of some trees or hedgerows.
36. In this case the Council's Tree Officer has assessed the trees and agrees with the survey that they are poor specimens individually. He does however state that collectively they have landscape amenity value.
37. If an alternative access further along Hill Top Lane away from Chorley Old Road could have been achieved, it may have been possible to retain some or all of the trees, however it is considered essential to ensure there is a footway from the junction with Chorley Lane into the site therefore providing safe access for pedestrians not just vehicles. This is not achievable further down the road due to the steep banking against Hill Top Lane on the site. Having the access to the site in the northwest corner allows a footway into the development with the second existing access further along Hill Top Lane being closed off as part of the proposals.
38. The original plans showed a 2.4m x 60m visibility splay to be provided in the easterly direction. As stated previously LCC Highways advised this was greater than required and only 2.4m x 43m was required. This was therefore reduced to the 2.4m x 43m to see if this allowed any existing trees to be retained on the north boundary, but unfortunately it did not.
39. The site is an allocated site in the emerging Local Plan 2012-2026 so contributes to the borough's housing land supply. Although the loss of the protected trees is regrettable it is considered essential to secure safe pedestrian access into the site. The value of the trees is considered to be the collective view of them in the street scene - their group landscape value. Although new planting could never replace what is there at present it is considered that the loss could be mitigated to some degree on the site. A landscaping scheme has been proposed showing heavy standard planting to be incorporated into the site. Although it is accepted these won't provide the same level of screening of the site as at present (as the trees must be of a suitable species to prevent problems in the future to the proposed properties) it is considered they will soften the edge of the development to some degree. A native hedge is also proposed behind the new stone wall that will front Hill Top Lane. A plan showing the proposed landscaping has been provided and its implementation can be controlled by a condition.

Ecology

40. An ecological report accompanies the application. It notes there are invasive plant species on the site; there should be consideration of habitat value for foraging bats; and it also recommends avoidance measure for great crested newts/other amphibians and breeding birds. The report recommends essential avoidance measures during the development to ensure compliance with wildlife legislation. Subject to conditions securing this the application is considered acceptable in this respect.

Flood risk and drainage

41. The site is not within Flood Zone 2 or 3 as identified by the Environment Agency and is not over 1 hectare in size (0.49ha) and therefore a Flood Risk Assessment is not required.
42. In terms of drainage United Utilities state they are happy with the drainage layout proposals in principle but suggest a condition requiring the discharge rates to the public sewer to be agreed in writing with the local planning authority, prior to commencement.

This can be controlled by a condition. Subject to this the application is considered acceptable.

Contamination and Coal Mines

43. The application site is within a Low Risk Area as identified by the Coal Authority. This requires an informative note to be placed on any permission.
44. Given the history of the site and that the end use is residential a condition is proposed regarding investigation of the site.
45. Subject to an informative note and a condition the application is considered acceptable in this respect.

Listed /locally important buildings

46. The tunnel portals to the former Leeds and Liverpool Canal are to the northeast of the site, which are Grade II listed. Given the distance from the site and the bend in Hill Top Land beyond the application site it is not considered the proposal would have an unacceptable impact on them.
47. Numbers 122-138 Chorley Old Road are not listed but are on the council's list of locally important buildings. These properties will be at a lower level than the proposed properties and it is considered the new development would not have a detrimental impact on their setting.

Other issues

48. Immediately to the east of the site is Whittle Hill Quarries which is filled with water. The land drops away almost vertically just beyond the east boundary of the site. A solid 1.8m high timber screen fence is proposed on the rear boundary of the properties. This should make the rear gardens secure in light of the comments from the Policy Architectural Liaison Officer.
49. Amended plans have been received altering the red edge so it does not include a small area of garden of one of the properties on Chorley Old Road, an issue raised by a resident.

Community Infrastructure Levy

50. The scheme will be liable for the Community Infrastructure Levy (CIL) at £65 per square meter. Eight dwellings are proposed on the site, however one (plot 1) is intended as a self-build by the land owner and an exemption has therefore been applied for, for this property.
51. The agent advises that the market housing (not including the self-build) have a floor area of 1,773.79. Based on this the CIL liability would be £115,296.35.

Overall Conclusion

52. The application is recommended for approval subject to conditions.

Planning Policies

53. 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

There is no recent planning history on this site relevant to the application.

Suggested Conditions

No.	Condition																														
1.	<p>The proposed development must be begun not later than three years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>																														
2.	<p>Prior to the construction of any of the streets referred to in the previous condition full engineering, drainage, street lighting and constructional details of the streets shall be submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details.</p> <p><i>Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.</i></p>																														
3.	<p>The development hereby permitted shall only be carried out in conformity with the proposed finished floor levels shown on the approved plan(s) or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>																														
4.	<p>The drainage for the site shall be carried out in accordance with the drainage layout (drawing ref: B12848 D1) and associated details submitted with the application, however no development shall take place until the discharge rate to the public sewer has been agreed in writing by the Local Planning Authority. The development shall then only be carried out in accordance with the agreed discharge rate.</p> <p><i>Reason: To ensure a satisfactory drainage scheme for the site.</i></p>																														
5.	<p>The dwellings hereby permitted shall achieve Level 4 of the Code for Sustainable Homes if commenced after 1 January 2013 and Level 6 if commenced after 1 January 2016. Within six months of completion a Final Code Certificate shall be submitted to the Local Planning Authority showing it has met the relevant Code Level.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>																														
6.	<p>The development shall be limited to no more than 32 new properties and shall be carried out in accordance with the following plans:</p> <table border="1" data-bbox="320 1485 1286 2022"> <thead> <tr> <th data-bbox="320 1485 639 1514">Title</th> <th data-bbox="639 1485 967 1514">Drawing Reference</th> <th data-bbox="967 1485 1286 1514">Received date</th> </tr> </thead> <tbody> <tr> <td data-bbox="320 1514 639 1543">Location Plan</td> <td data-bbox="639 1514 967 1543"></td> <td data-bbox="967 1514 1286 1543"></td> </tr> <tr> <td data-bbox="320 1543 639 1572">Proposed Site Layout</td> <td data-bbox="639 1543 967 1572">11/093/P11 Rev C</td> <td data-bbox="967 1543 1286 1572">20th November 2014</td> </tr> <tr> <td data-bbox="320 1572 639 1641">House Type D – 6H2784 – Plot 1</td> <td data-bbox="639 1572 967 1641">11/093/P05 Rev C</td> <td data-bbox="967 1572 1286 1641"></td> </tr> <tr> <td data-bbox="320 1641 639 1711">House Type A – 4H1982 – Plot 2</td> <td data-bbox="639 1641 967 1711">11/093/P02 Rev C</td> <td data-bbox="967 1641 1286 1711">31st July 2014</td> </tr> <tr> <td data-bbox="320 1711 639 1780">House Type B – 4H1882 – Plot 5</td> <td data-bbox="639 1711 967 1780">11/093/PR03 Rev B</td> <td data-bbox="967 1711 1286 1780">31st July 2014</td> </tr> <tr> <td data-bbox="320 1780 639 1850">House Type A – 4H1982 – Plot 6</td> <td data-bbox="639 1780 967 1850">11/093/PR02 Rev C</td> <td data-bbox="967 1780 1286 1850">31st July 2014</td> </tr> <tr> <td data-bbox="320 1850 639 1919">House Type F – 4H2023 – Plot 3</td> <td data-bbox="639 1850 967 1919">11/093/P09 Rev A</td> <td data-bbox="967 1850 1286 1919">8th December 2014</td> </tr> <tr> <td data-bbox="320 1919 639 1989">House Type B – 4H1882 – Plots 7 & Plot 8</td> <td data-bbox="639 1919 967 1989">11/093/PS03 Rev C</td> <td data-bbox="967 1919 1286 1989">20th November 2014</td> </tr> <tr> <td data-bbox="320 1989 639 2022">House Type E – Plot 4</td> <td data-bbox="639 1989 967 2022">11/093/P06 Rev D</td> <td data-bbox="967 1989 1286 2022">20th November 2014</td> </tr> </tbody> </table>	Title	Drawing Reference	Received date	Location Plan			Proposed Site Layout	11/093/P11 Rev C	20 th November 2014	House Type D – 6H2784 – Plot 1	11/093/P05 Rev C		House Type A – 4H1982 – Plot 2	11/093/P02 Rev C	31 st July 2014	House Type B – 4H1882 – Plot 5	11/093/PR03 Rev B	31 st July 2014	House Type A – 4H1982 – Plot 6	11/093/PR02 Rev C	31 st July 2014	House Type F – 4H2023 – Plot 3	11/093/P09 Rev A	8 th December 2014	House Type B – 4H1882 – Plots 7 & Plot 8	11/093/PS03 Rev C	20 th November 2014	House Type E – Plot 4	11/093/P06 Rev D	20 th November 2014
Title	Drawing Reference	Received date																													
Location Plan																															
Proposed Site Layout	11/093/P11 Rev C	20 th November 2014																													
House Type D – 6H2784 – Plot 1	11/093/P05 Rev C																														
House Type A – 4H1982 – Plot 2	11/093/P02 Rev C	31 st July 2014																													
House Type B – 4H1882 – Plot 5	11/093/PR03 Rev B	31 st July 2014																													
House Type A – 4H1982 – Plot 6	11/093/PR02 Rev C	31 st July 2014																													
House Type F – 4H2023 – Plot 3	11/093/P09 Rev A	8 th December 2014																													
House Type B – 4H1882 – Plots 7 & Plot 8	11/093/PS03 Rev C	20 th November 2014																													
House Type E – Plot 4	11/093/P06 Rev D	20 th November 2014																													

	- 4H1893		
	Landscape Proposal	4510.02 Rev C	20 th November 2014
	Proposed Site Sections	11/093/P12 Rev A	20 th November 2014
	External Works Details 1800mm Brickwork Screen Wall	11/093/EW01	31 st July 2014
	External Works Details 1800mm Timber Screen Fence	11/093/EW02	31 st July 2014
	External Works Details 1800mm High Party Fence	11/093/EW03	31 st July 2014
	1800mm High Gate	11/093/EW04	31 st July 2014
	Drainage Layout	B12848 D1	31 st July 2014
	Double Garage to Plot 1	11/093/G01 Rev A	31 st July 2014
	Double Garage	11/093/G02	31 st July 2014
	Proposed Gated Access	11/093/P15	8 th December 2014

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

7. Before the development hereby permitted is first commenced details/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.
Reason: To ensure that the materials used are visually appropriate to the locality.

8. Before the development hereby permitted is first commenced, full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.
Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

9. Due to past processes and activities at the above site, there is a potential for ground contamination. Due to the large scale of development and sensitive end-use (housing with gardens), no development shall take place until:

- a) a methodology for investigation and assessment of ground contamination has been submitted to and agreed in writing with the Local Planning Authority. The investigation and assessment shall be carried in accordance with current best practice including British Standard 10175:2011 'Investigation of potentially contaminated sites - Code of Practice'. The objectives of the investigation shall be, but not limited to, identifying the type(s), nature and extent of contamination present to the site, risks to receptors and potential for migration within and beyond the site boundary;
- b) all testing specified in the approved scheme (submitted under a) and the results of the investigation and risk assessment, together with remediation proposals to render the site capable of development have been submitted to the Local Planning Authority;
- c) the Local Planning Authority has given written approval to any remediation proposals (submitted under b), which shall include an implementation timetable and monitoring proposals. Upon completion of remediation works a validation report containing any validation sampling results shall be submitted to the Local Authority.

Thereafter, the development shall only be carried out in full accordance with the

	<p>approved remediation proposals.</p> <p>Should, during the course of the development, any contaminated material other than that referred to in the investigation and risk assessment report and identified for treatment in the remediation proposals be discovered, then the development should cease until such time as further remediation proposals have been submitted to and approved in writing by the Local Planning Authority.</p> <p><i>Reason: To ensure the site is safety developed.</i></p>
10.	<p>During the construction period, all trees to be retained shall be protected in accordance with British Standard BS 5837:2012 or any subsequent amendment to the British Standards.</p> <p><i>Reason: To safeguard the trees to be retained.</i></p>
11.	<p>No part of the development hereby approved shall be occupied until the approved access has been constructed and completed in accordance with the scheme details.</p> <p><i>Reason: To ensure a satisfactory access for the development.</i></p>
12.	<p>Prior to commencement of the development, a construction management plan shall be submitted to and approved in writing by the local planning authority. The plan to include method and details of construction including vehicle routing to the site, construction and contractor's traffic parking (to prevent parking or waiting on the public highway) and specify construction hours and days. The approved construction plan to be implemented and adhered to during the construction of the development.</p> <p><i>Reason: To maintain the operation of local streets and through routes in the area during construction, particularly during peak periods and safeguard the amenities of local residents.</i></p>
13.	<p>For the full period of construction, facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.</p> <p><i>Reason: To avoid the possibility of the public highway being affected by the deposit of mud and/or loose materials, thus creating potential hazards to road users.</i></p>
14.	<p>Prior to the commencement of the development, a 'Design Stage' assessment and related certification shall be submitted to and approved in writing by the Local Planning Authority. The assessment and certification shall demonstrate that the dwellings will meet the relevant Code Level of the Code for Sustainable Homes. The development shall be carried out entirely in accordance with the approved assessment and certification.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>
15.	<p>The development shall be carried out in accordance with the Carbon Dioxide Emission Reduction as set out at paragraph 6 of the Sustainability Statement Prepared by Propert Eco Services submitted with the application.</p> <p><i>Reason: In the interests of minimising the environmental impact of the development.</i></p>
16.	<p>Prior to the occupation of any of the dwellings hereby approved details of the proposed arrangements for future management and maintenance of the proposed streets within the development shall be submitted to and approved by the local planning authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.</p> <p><i>Reason: To ensure that the estate streets serving the development are maintained to an acceptable standard in the interest of residential / highway safety.</i></p>

17.	<p>The dwellings shall not be occupied or land used pursuant to this permission before all walls and fences have been erected in accordance with the approved details. Fences and walls shall thereafter be retained in accordance with the approved details at all times.</p> <p><i>Reason: To ensure a visually satisfactory form of development and to protect the amenities of occupiers of nearby property.</i></p>
18.	<p>The electronic gates shown on the approved plans for vehicles shall be sensor activated electronically operated.</p> <p><i>Reason: To ensure service vehicles can access the site without the need for access codes or keys.</i></p>
19.	<p>The paved area to the front of plot 7 at the junction of the access into the site and Hill Top Lane shall be provided for bin storage on collection day prior to the occupation of the dwellings and shall be left free for such use in perpetuity.</p> <p><i>Reason: To ensure there is sufficient storage for bins on waste collection days.</i></p>
20.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shown of drawing ref: 4510.02 Rev C 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 earlier, 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.</p> <p><i>Reason: In the interest of the appearance of the locality.</i></p>
21.	<p>The existing second access to the site off Hill Top Lane (situated what will be between plots 1 and 8) shall be closed to vehicular and pedestrian traffic prior to the occupation of any of the dwellings hereby permitted.</p> <p><i>Reason: The use of this access point would not be acceptable in highway safety terms to serve the development.</i></p>
22.	<p>A single integral garage measuring at least 3m x 6m internally shall be retained on Plot 3 and left available for car parking unless the property would benefit from three off road parking spaces.</p> <p><i>Reason: To ensure that the property has sufficient off road parking spaces for the number of bedrooms it benefits from.</i></p>
23.	<p>When the access road into the site is implemented a dropped kerb shall be created at the junction with the access track to the rear of the properties on Chorley Old Road to allow vehicular access to the rear of these properties and shall be retained at all times thereafter.</p> <p><i>Reason: To ensure there is vehicular access to the rear of the properties on Chorley Old Road.</i></p>
24.	<p>All windows in the north elevations of the properties on plots 7 and 8 hereby permitted shall be fitted with obscure glass and obscure glazing shall be retained at all times thereafter. The obscure glazing shall be to at least Level 3 on the Pilkington Levels of Privacy, or such equivalent as may be agreed in writing by the local planning authority.</p> <p><i>Reason: Due to the difference in levels with the properties on the other side of Hill Top Lane, in the interests of the privacy of occupiers of these properties.</i></p>
25.	<p>The development shall only be carried out in accordance with the Essential Avoidance Measures set out at paragraph 4.2.2 of the Ecological Survey and Assessment of the Ribble Ecology Report ref: RB-13-141 submitted with the application.</p> <p><i>Reason: To ensure the proposal is acceptable in relation to wildlife.</i></p>

26.	<p>The parking 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).</p> <p><i>Reason: To ensure provision of adequate off-street parking facilities within the site.</i></p>
27.	<p>No development shall be commenced until an Estate Street Phasing and Completion Plan has been submitted to and approved in writing by the Local Planning Authority. The Estate Street Phasing and Completion Plan shall set out the phasing of the road serving the site and the standard that it will be completed to.</p> <p><i>Reason: To ensure that the estate streets serving the development are completed and thereafter maintained to an acceptable standard in the interest of residential / highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the development; and to safeguard the visual amenities of the locality and users of the highway.</i></p>
28.	<p>No dwelling or dwellings shall be occupied until the access road affording access to those dwelling(s) has been completed in accordance with the Lancashire County Council Specification for Construction of Estate Roads.</p> <p><i>Reasons: To ensure that the estate streets serving the development are completed and maintained to the approved standard, and are available for use by the occupants, and other users of the development, in the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.</i></p>
29.	<p>No development shall be commenced until full engineering, drainage, street lighting and constructional details of any streets proposed for adoption have been submitted to and approved in writing by the Local Planning Authority. The development shall, thereafter, be constructed in accordance with the approved details, unless otherwise agreed in writing with the Local Planning Authority.</p> <p><i>Reason: In the interest of highway safety; to ensure a satisfactory appearance to the highways infrastructure serving the approved development; and to safeguard the visual amenities of the locality and users of the highway.</i></p>