

Item 4i	15/00281/REM
Case Officer	Adele Hayes
Ward	Chisnall
Proposal	Reserved matters application pursuant to outline planning permission 13/00365/OUT for the erection of 9 no. dwellings. Appearance, layout, scale and landscaping to be considered.
Location	H W Moon Ltd 56 Wood Lane Heskin Chorley PR7 5NU
Applicant	Warwick Construction (NW) Ltd
Consultation expiry:	12 May 2015
Decision due by:	31 May 2015

Recommendation

It is recommended that this application is approved.

Proposal

1. The site is located within the Green Belt on Wood Lane, close to the junction with Park Hall Road. It was formerly occupied by a Toyota dealership although the building has now been demolished. There are houses on The Warrings to the rear and east of the site and residential properties to the west of the site on Wood Lane itself.
2. Outline planning permission was granted for the means of access to 9no. town houses in July 2014.
3. This application seeks consent for all reserved matters, namely layout, scale, appearance and landscaping of the development.

Representations

4. An objection has been received from the owner of the hairdressing salon located next to the development site. Concern is expressed about disruption and parking problems that may occur during construction work and after completion. Currently customers park on the main road and assurance is sought that the owners of the proposed dwellings will not be allowed to drop their kerbs in the future. Some of the neighbours in the houses to the west of the salon have lowered their kerbs in front of their properties which have restricted the amount of on street parking available.
5. One letter of support has been received commenting that it is about time permission was granted to build houses on this site and that it must be remembered that Waring (the headmaster to whom the land was gifted) intended housing all the way from opposite Park Hall Road to the top of the brow. It is also considered that this development will not attract the traffic or parking difficulties that the car showroom did.

Consultations

6. Lancashire County Council Highway Engineer – comment that there are no overriding highway objections to the proposed development subject to the imposition of conditions.

Assessment

Principle of the development

7. The principle of redeveloping the site with housing was originally established as being acceptable by the grant of outline planning permission in July last year.
8. The acceptability of the principle of development has therefore been established and this application is for the consideration of matters reserved for subsequent approval.

Design and character of the development

9. The proposed layout indicates that the front elevations of the proposed dwellings will be built on line with the front elevation of the existing hairdressing salon adjacent to the site and the terraced properties starting with number 48 Wood Lane providing a suitable relationship with the existing building line along this part of Wood Lane.
10. The dwellings will be built in two separate two storey terraces of 5no. dwellings and 4no. dwellings with access in between leading to a communal parking area with provision for 18 cars. Each dwelling will have three bedrooms.
11. The proposed scheme is considered appropriate in respect of its layout having regard to the character of its surroundings.
12. There are residential properties immediately adjoining the site to the south. The proposed layout of the dwellings has considered the relationship the new development will have with the existing properties and is acceptable.

Impact on the neighbours

13. The nearest residential properties to the site are those on The Warings that adjoin the site to the south. These are dormer bungalow properties, some with rear conservatories with first floor rear windows facing towards the site. To the west is a single storey building operating as a hairdressing salon with a car park beyond. Number 48 Wood Lane is the nearest residential property to the west, it has no windows in its end gable and although it has a single storey rear extension with a small side facing window, this window will be screened from the proposed houses by the intervening existing hairdressing salon building. To the east are nos. 56 and 58 The Warings that face towards the side of the site. The only property opposite the site is High Barn Farm, which is set back from the road by over 30m. The Council's interface distances require there to be 21m between first floor facing windows, 10m between first floor windows and the boundaries with other properties they face and 12m between first floor windows and a blank wall. The proposed layout complies with these interface distances and therefore it is considered that the relationship with adjoining properties is acceptable.
14. The proposed boundary treatment to the rear of the site comprises a 1.8metre high timber fence.

Highway safety

15. The means of access to the site was approved at outline stage and comprises a single access to the site between the proposed terraces of houses. LCC Highways

consider the access point and visibility from it to be acceptable. The footway and the kerbs in front of the development will be required to be reinstated to their original levels at the applicant's expense through the S278 agreement of the Highways Act 1980.

16. The proposed layout shows the provision of 18 no. parking spaces. The Council's standards require 2 spaces for two or three bed dwellings and accordingly the proposed car parking provision is adequate for the nine dwellings that are proposed.
17. In relation to the hairdressing salon next to the site, which has limited off road parking to the front, there is only one access proposed to the site. The Council cannot guarantee that future property owners will not be allowed to drop kerbs to the front of the properties in the future. Such works would require planning permission as Wood Lane is a classified road, but the Council cannot prevent such applications being made nor can it predetermine the outcome of such applications if they are made, which must be determined on their own merits in accordance with policies in force at the time such applications are made taking into account the advice of LCC as the Highways Authority.

Overall Conclusion

18. The reserved matters details are considered acceptable and the application is recommended for approval. The applicant is bound by the conditions placed on the outline permission.

Note on the Emerging Chorley Local Plan 2012-2026

19. In October 2013, the Local Plan Inspector issued her partial report on the findings into the soundness of the Chorley Local Plan 2012-2026 which is a material consideration in the consideration of any planning application. In summary, the plan is considered to be legally compliant. In relation to soundness, the plan is considered sound, with the exception of matters relating to Gypsies and Travellers.
20. Paragraph 18 of the Partial Report states: "*For the avoidance of doubt, the Plan may not be adopted until it has been changed in accordance with all the main modifications set out in the Appendix to this partial report and any which may be specified in the Appendix of my forthcoming supplementary report. However because of the very advanced stage in the examination process that the main modifications set out in the Appendix have reached, significant weight should be attached to all policies and proposals of the Plan that are amended accordingly, where necessary, except for matters relating to Gypsies and Travellers.*"
21. The Council accepted the Local Plan Inspector's modifications for Development Management purposes at its Executive Committee on 21st November 2013. It is therefore considered that significant weight can be given to her report, and to the policies and proposals of the emerging Local Plan, as amended by the main modifications.
22. Further consideration has been given to matters relating to Gypsies and Travellers, and the Local Plan Inspector's Supplementary Report on Gypsy and Traveller and Travelling Showpeople was issued (8 May 2015) and it concludes that the part of the Chorley Local Plan dealing with Gypsy and Traveller and Travelling Showpeople policy and site allocation is also sound, providing a number of main modifications are made.

Planning History

Ref: 87/00749/FUL **Decision:** PERFPP **Decision Date:** 1 December 1987
Description: Refurbishment and extension of existing car showroom

Ref: 90/00832/ADV **Decision:** PERFPP **Decision Date:** 6 November 1990
Description: Display of internally illuminated fascia signs and double sided freestanding illuminated forecourt sign

Ref: 02/00499/ADV **Decision:** PERADV **Decision Date:** 27 August 2002
Description: Display of illuminated and non-illuminated advertisement signs,

Ref: 03/01178/FUL **Decision:** PERFPP **Decision Date:** 13 January 2004
Description: Erection of 3m acoustic fencing at rear of 27 & 29 The Warings,

Ref: 07/00661/OUT **Decision:** WDN **Decision Date:** 31 July 2007
Description: Outline application for residential development of 9 town houses (layout & access only),

Ref: 08/00704/OUT **Decision:** WDN **Decision Date:** 18 November 2008
Description: Demolition of existing buildings and erection of 9 town houses

Ref: 13/00365/OUT **Decision:** PEROPP **Decision Date:** 10 July 2013
Description: Outline application for the demolition of existing buildings and erection of 9no. town houses (specifying access only).

Ref: 14/00352/DEMCON **Decision:** PERDEM **Decision Date:** 28 April 2014
Description: Demolition of structure above ground level of former showrooms, offices and workshops

Ref: 15/00282/FUL **Decision:** PCO **Decision Date:** Pending
Description: Erection of 1no. dwellinghouse

Conditions

The following conditions are suggested:

No.	Condition												
1.	<p>The Development shall only be carried out in accordance with the approved plans, except as may otherwise be specifically required by any other condition of the outline planning permission or this approval of reserved matters.</p> <p><i>Reason: To define the permission and in the interests of the proper development of the site.</i></p>												
2.	<p>The proposed development must be begun not later than two years from the date of this permission.</p> <p><i>Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.</i></p>												
3.	<p>The approved plans are:</p> <table border="1" data-bbox="347 1675 1401 1980"> <thead> <tr> <th data-bbox="347 1675 676 1753">Plan reference number:</th> <th data-bbox="676 1675 1150 1753">Title:</th> <th data-bbox="1150 1675 1401 1753">Date received:</th> </tr> </thead> <tbody> <tr> <td data-bbox="347 1753 676 1832">D146/P21</td> <td data-bbox="676 1753 1150 1832">Location Plan</td> <td data-bbox="1150 1753 1401 1832">27 March 2015</td> </tr> <tr> <td data-bbox="347 1832 676 1910">D146/P24</td> <td data-bbox="676 1832 1150 1910">Proposed Site Plan</td> <td data-bbox="1150 1832 1401 1910">27 March 2015</td> </tr> <tr> <td data-bbox="347 1910 676 1980">D146/P25</td> <td data-bbox="676 1910 1150 1980">Proposed Site Plan + Levels</td> <td data-bbox="1150 1910 1401 1980">27 March 2015</td> </tr> </tbody> </table>	Plan reference number:	Title:	Date received:	D146/P21	Location Plan	27 March 2015	D146/P24	Proposed Site Plan	27 March 2015	D146/P25	Proposed Site Plan + Levels	27 March 2015
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D146/P24	Proposed Site Plan	27 March 2015											
D146/P25	Proposed Site Plan + Levels	27 March 2015											

	D146/P27	Proposed Site Plan + Highway Works	27 March 2015
	D146/P29	Proposed Floor Plans – 5 Unit Block	27 March 2015
	D146/P30	Proposed Floor Plans – 5 Unit Block	27 March 2015
	D146/P31	Proposed Elevations – 4 Unit Block	27 March 2015
	D146/P32	Proposed Elevations – 5 Unit Block	27 March 2015
	D146/P24	Proposed Site Plan + Parking of Vehicles	27 March 2015
	<i>Reason: To define the permission and in the interests of the proper development of the site.</i>		
4.	<p>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 and to provide reasonable standards of privacy to residents.</i></p>		
5.	<p>The development hereby permitted shall only be carried out in conformity with the proposed ground and building slab levels shown on the approved plans.</p> <p><i>Reason: To protect the appearance of the locality and in the interests of the amenities of local residents.</i></p>		
6.	<p>All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of any dwellings or the completion of the development within the relevant Phase, 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, unless the Local Planning Authority gives written consent to any variation.</p> <p><i>Reason: In the interest of the appearance of the locality.</i></p>		
7.	<p>The car parking spaces shall be surfaced or paved, drained and marked out all in accordance with the approved plan before any dwellings are first occupied. The car park 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>		
8.	<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 development phases and the standards that estate streets serving each phase of the development will be completed.</p> <p><i>Reason: To ensure that the estate streets serving the development are completed and</i></p>		

	<i>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>
9.	<p>No dwelling or dwellings shall be occupied until the estate street(s) 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>
10.	<p>No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been 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>Reasons: To ensure that the estate streets serving the development are Managed 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>
11.	<p>No development shall be commenced until full engineering, drainage, street lighting and constructional details of the 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>
12.	<p>Before the use of the site hereby permitted is brought into operation and 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 a potential hazard to road users.</i></p>
13.	<p>Prior to construction, a construction 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 traffic parking and any proposed temporary closing of roads or streets. No construction traffic or deliveries to enter/exit during traffic peak periods or to wait on the public highway. Such 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.</i></p>
14.	<p>No part of the development hereby approved shall commence until a scheme for the construction of the site access and the off-site works of highway improvement has been submitted to, and approved by, the Local Planning Authority in consultation with the Highway Authority.</p>

	<i>Reason: In order to satisfy the Local Planning Authority and Highway Authority that the final details of the highway scheme/works are acceptable before work commences on site.</i>
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