

Item B. 9 07/00500/FUL Permit (Subject to Legal Agreement)

Case Officer Mr Andy Wiggett

Ward Clayton-le-Woods And Whittle-le-Woods

Proposal Demolition of existing buildings, removal of trees and the erection of eight dwellings.

Location 352 Preston Road Clayton-Le-Woods Chorley PR6 7JE

Applicant Wainhomes Developments

Proposal The application involves the demolition of no.352 Preston Road and the erection of eight dwellings on the site of it and the large garden surrounding the traditional two storey house. It is proposed to erect two dwellings at three storeys in height on the site of the house and a further five three storey dwellings and two two storey dwellings in the garden area. The density will be at 42.7dwellings per hectare.

The site is largely screened from Preston Road by a substantial hedge and slopes down from the road to the Carr Brook. On the south side of the site is a garage with car sales and parking on the frontage and a factory carrying out sheet metal work. To the north is a bungalow with its own large garden and the grounds of St Bede's Parish Hall. To the east , across the brook, is protected amenity open space.

Policy In the Local Plan Policies GN1 – Main Settlements, GN5 – Building Design, HS6 – Housing Windfall Sites, HS8 – High Density Development, TR4- Highway Development Control Criteria

Planning History No relevant planning history

Consultations **Whittle-le-Woods Parish Council** – objects to the building of three storey properties as they are not in keeping with surrounding properties. Objection is also made to the felling of healthy trees on the site.

Clayton-le-Woods Parish Council - objects on the grounds of traffic problems associated with the already busy A6 Preston Road and next to Swansey Garage where traffic and parking problems already exist. Over-development of the site and a number of shrubs and trees will be destroyed with their wildlife habitat. Increase in pollution from extra traffic.

Director of Streetscene Neighbourhoods & Environment Directorate – In accordance with guidance in PPS23 the applicant should undertake a desktop study and site walkover to identify any potential sources of land contamination. If the potential for contamination is confirmed identification and appraisal of options for remediation needed. The applicant should ensure access for refuse and recycling collection vehicles and suitable storage areas for wheeled bins and recycling containers.

Lancashire County Council Highways - do not object in principle but do object on several specific highway points as follows: plot 1 has no parking, plot 3 has no parking space, plots

8/9 have parking shown at the top of the junction which could lead to conflict with the access onto the A6, the bays for plots 8/9 are too tight up to the highway, the road area is not suitable for adoption, need details of a maintenance agreement, the design of the scheme needs to indicate that the access road into the site can be constructed at less than 5% gradient for 12m, there needs to be provision for refuse collection.

Environment Agency – objects as the application has been submitted without a flood risk assessment as part of the site is within a Flood Zone 3. The absence of a FRA is a reason to refuse the application following the guidance in PPS25.

Representations

One letter of objection received on the grounds of enough new estates in Clayton-le-Woods and Whittle-le-Woods without building any more.

A letter from the adjoining property commenting that they have no problems with the submitted plans but are concerned about the access point as this is onto a dangerous road

Applicant's Case

- There is a wide variety of house types along Preston Road each distinctive with its own appearance, the development is, therefore, appropriate in this location.
- In planning policy terms, the site is within a main settlement, designed to meet the criteria set out in the Local Plan policies and at a suitable density.
- The site is in a sustainable location on a main bus route.
- Only garden trees and shrubs will be removed, the mature trees on the perimeter will remain and a landscaping scheme will be put in place with additional planting.
- There will be a mix of dwelling types giving choice in the housing market.
- Access to the site will be provided by a private access way with a private management scheme in place.

Assessment

The main issues to consider are Design and Appearance and effect on the Streetscene, Neighbour Amenity, Flood Risk, Highway Safety and Environment. These are dealt with in turn.

Design and Appearance

The proposed development will create its own identity even though there will be three storey houses in the layout. The property along Preston Road varies in height and style such that there are no predominant features which need to be followed. The house at the entrance to the site is gable end on to Preston road and the applicant has amended the detailing on this wall to provide more interest rather than present just a blank appearance. The layout now indicates a dedicated refuse collection point to enable refuse vehicles to park on Preston Road and collect from there.

The density of development at 42.7 dph is a relatively high density but allows for the layout to be open with usable amounts of private garden space and off street parking.

A part of the hedge along the boundary of the site will have to be removed to allow for the new access into the site but a proportion can be retained and this should be conditioned. The existing

access to the house on the site should be closed and the hedge extended across it.

Approaching the site along Preston Road, the three storey house will act as a marker for the development but the character of the street at this point is dominated by the Swansea Garage and its clutter. The houses on the other side of the road are set back behind a landscaped verge and do not contribute to any sense of place.

Neighbour Amenity

The nearest property is no.364, a large bungalow set back from the road with a large garden. The side elevation of the bungalow would be 11m from the rear of the Dunham house type which has a landing window and bathroom window only on it. The nearest building to the Swansea Garage will be the double domestic garage of the new development with the three storey house 12m away. The sheet metal fabricators on Swansea Lane is some 2m away from the blank elevation of the Longshaw house type. On the site visit there was no noise coming from the building but were there to be any noise problems arising from the works in the future, this would have to be dealt with by other legislation rather than planning.

Flood Risk

The applicant has been made aware of the objection from the Environment Agency and has amended the layout to meet their objections.

Highway Safety

The layout has been amended to take account of the requirements of the Environment Agency and this has necessitated the deletion of one housing plot and thus satisfy the objections regarding parking raised by the Highway Authority. A condition is proposed to deal with the issue of access onto the A6. The applicant has provided a draft of an agreement with a private maintenance company which provides for the maintenance of the roads within the layout and for a refuse collection point where bins are to be placed for the Local Authority.

Environment

The history of the site has been examined on the basis of the historic Ordnance Survey maps commencing with the late 1900s and it has always been an orchard and garden. As a result there will be no problems of contamination from previous uses. The site has the characteristics of a domestic garden with shrubs in it. It is not considered that their removal to be replaced by new gardens will represent sufficient an environmental loss as to justify a refusal.

Conclusion

This development represents a windfall site on previously developed land. Following the Council's decision in November 2006 to allow developments of less than 10 dwellings, sites of this nature will allow a local builder to construct houses on a small sustainable site. The plans have been amended to overcome issues raised through the consultation process. The scheme is

now acceptable.

**Recommendation: Permit (Subject to Legal Agreement)
Conditions**

1. The proposed development must be begun not later than three years from the date of this permission.

Reason: Required to be imposed by Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the submitted plans, as amended on 4th July 2007.

Reason: To define the permission and ensure a satisfactory form of development.

3. No development shall take place until a scheme of landscaping has been submitted to and approved in writing by the Local Planning Authority, notwithstanding any such detail which may have previously been submitted. The scheme shall indicate all existing trees and hedgerows on the land; detail any to be retained, together with measures for their protection in the course of development; indicate the types and numbers of trees and shrubs to be planted, their distribution on site, those areas to be seeded, paved or hard landscaped; and detail any changes of ground level or landform.

Reason: In the interests of the amenity of the area and in accordance with Policy No.GN5 of the Adopted Chorley Borough Local Plan Review.

4. 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 buildings or the completion of the development, whichever is the sooner, 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.

Reason: In the interest of the appearance of the locality and in accordance with Policy No GN5 of the Adopted Chorley Borough Local Plan Review.

5. No development shall take place until a plan and section of the access into the site from the A6 Preston Road indicating a 12 metre long stretch of highway at less than 5% gradient has been submitted to and approved in writing by the Local Planning Authority. No part of the development hereby permitted shall be commenced until the junction has been constructed in accordance with the approved plan.

Reason: To ensure that the development has a safe access onto the public highway and to comply with Policy TR4 of the Adopted Chorley Borough Local Plan Review.

6. Notwithstanding the submitted plan, the hedge along the perimeter of the site adjacent to the A6 Preston Road shall be retained, except for the necessary access into the site and visibility splays. The existing access into the site shall be closed and the perimeter hedge extended by planting across it.

Reason: In the interests of the visual amenity of the area and to comply with Policy EP9 of the Adopted Chorley Borough Local Plan Review.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (Schedule 2, Part 1, Classes A to E), or any Order amending or revoking and re-enacting that Order, no alterations or extensions shall be undertaken to the dwelling(s) hereby permitted, or any garage, shed or other outbuilding erected (other than those expressly authorised by this permission).

Reason: To protect the appearance of the locality and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

8. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed building(s)

(notwithstanding any details shown on the previously submitted plan(s) and specification) have been submitted to and approved in writing by the Local Planning Authority. The development shall only be carried out using the approved external facing materials.

Reason: To ensure that the materials used are visually appropriate to the locality and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

9. The development hereby permitted shall not commence until full details of the 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.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.
