

Item B. 1	07/00346/OUT	Permit (Subject to Legal Agreement)
Case Officer	Mrs Nicola Hopkins	
Ward	Clayton-le-Woods West And Cuerden	
Proposal	Outline application for the proposed development to create 5 No. new detached dormer bungalows to include an amended access off the highway between no's 46 and 48 Lancaster Lane	
Location	Land 40m South Of 48 Lancaster Lane Clayton-Le-Woods Leyland	
Applicant	Keith Blackledge And Ian Leeming	
Proposal	<p>The application relates to an outline planning application for the erection of 5 dormer bungalows on land to the rear of 46 and 48 Lancaster Lane, Clayton le Woods. The application also incorporates an amended vehicular access off Lancaster Lane. Number 46 and 48 Lancaster Lane will remain in situ and do not form part of the application site.</p> <p>As the application is an outline application the submitted details include the proposed layout and access to the site. Issues in respect of design, massing and landscaping will be dealt with at reserved matters stage. However the application does indicate that the properties will be two storey detached dormer dwellinghouses.</p>	
Planning Policy Development	<p>Planning Policy Statement 1: Delivering Sustainable</p> <p>Planning Policy Statement 3: Housing</p> <p>Planning Policy Statement 9: Biodiversity and Geological</p>	
Conservation	<p>Planning Policy Statement 23: Planning and Pollution Control</p> <p>North West Regional Spatial Strategy: Policy ER5</p> <p>Joint Lancashire Structure Plan: Policy 7 –Parking Policy 21- Lancashire’s Natural and Manmade Heritage Access and Parking SPG</p> <p>GN1- Settlement Policy- Main Settlements GN9- Transport Accessibility EP4- Species Protection EP9- Trees and Woodland HS4- Design and Layout of Residential Developments TR4- Highway Development Control Criteria</p>	
Planning History	There is no planning history relating to the site.	
Representations	<p>Clayton le Woods Parish Council object on the following grounds:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Over-development of a rural area <input type="checkbox"/> Traffic problems 	

- Set a precedent
- Loss of privacy

59 letters of objection have been received (although some are duplicated) raising the following comments:

- Lancaster Lane is very busy and the development will result in more traffic- Impact on highway safety
- Loss of rural views
- Will result in further developments along Lancaster Lane
- Loss of light, loss of privacy, noise and disturbance
- Increase in pollution
- Loss of trees and wildlife
- Similar application at 54 Lancaster Lane
- Out of character with the surrounding area and result in loss of identity of the area
- Drainage issues
- Impact on house prices
- Development not appropriate on this greenfield land
- The housing requirements of Chorley are being met with the Buckshaw Village development
- Reliance on the car- public transport is poor in the area
- How will parking be dealt with?
- Impact on refuse collection

Consultations

Director of Streetscene, Neighbourhoods and the Environment has recommended that a desk top study and site walk over to identify potential sources of land contamination is carried out.

Lancashire County Council Ecologist has made the following comments:

- Great Crested Newts have been recorded in the area however it is unlikely that Crest Crested Newts occupy habitats in the application site.
- Works during the bird breeding season (March to July) should be avoided.
- In accordance with the Lancashire Urban Biodiversity Action Plan back gardens provide a significant resource for wildlife. The proposals will erode the extent and quality of urban biodiversity
- Concerned the proposal will set a precedent for developing other garden areas
- Advises that Tree Preservation Orders are put on the trees on site
- The proposal has the potential to lead to an increase in water runoff. Recommends that the Environment Agency are consulted.
- Recommends that the landscaping should comprise of native plant communities.

Assessment

The main issues to consider are whether the development is appropriate within this location, the impact on the neighbours amenities, the impact on highway safety in the area and whether the development is in character with the surrounding area.

The scheme incorporates the erection of 5 detached dormer bungalows on land to the rear of 46 and 48 Lancaster Lane. Both 46 and 48 Lancaster Lane will be retained and the access to the site will be located between these two retained properties. As the application is an outline application the application relates only to the siting of the properties and access to the site. Issues relating

to the design, landscaping and massing of the proposal will be addressed at reserved matters stage if the Committee members are minded to grant this application.

In accordance with Planning Policy Statement 3: Housing the site is considered to be previously developed land. Previously developed land is land which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. PPS3 encourages the redevelopment of previously developed land as opposed to developing Greenfield land. As such the principle of redeveloping the site for residential development accords with Government guidance.

During the application process the scheme has been amended to alleviate concerns raised in respect of the originally submitted proposal, mainly the impact on the amenities of the neighbours amenities, the impact on the amenities of the future residents and the impact on highway safety

A number of concerns have been raised by neighbours in respect of the proposed development and the proposed development, reported elsewhere on this agenda, for the residential development to the rear of 54 Lancaster Lane.

In respect of the impact on the neighbours the scheme has been amended during the application process to ensure that the Council's Approved Spacing Standards are achieved. Each of the proposed properties incorporate 10 metres of garden space to ensure that the proposed dwellinghouses do not create overlooking to the detriment of the neighbours amenities. In excess of 21 metres is retained from the rear elevation of the proposed dwellinghouses to the rear elevations of the existing properties and 12 metres is retained from the rear of 46 Lancaster Lane to the side gable of the proposed dwellinghouse on Plot 1. As such it is considered that the proposed development will not adversely impact on the amenities that the neighbours could expect to enjoy.

PPS3 encourages developments which are designed to a high standard and take into account the needs of the future and existing residents. In particular PPS3 sets out advice for proposed family housing and states that it is that the needs of children are an important consideration and that good provision of recreational space is provided including private garden areas. Each of the proposed properties incorporates private garden areas within their curtilages and the amount of space proposed is considered to be sufficient for the needs of the future residents.

A number of the neighbours have raised concerns in respect of the highway safety implications and the increase in traffic to the site. The proposal incorporates the introduction of an access road to serve the development, this will remain private. The maximum number of dwellings usually permitted off a private access road is three and the development clearly exceeds this number. It is however considered that as the drive will remain private and will be managed by a private management company the proposal will not adversely impact on highway safety in the area. Details of the management company have been requested from the agent and approval of the details will be attached to the recommendation as

a condition.

Lancashire County Council's Highway Section have been consulted on the application in respect of the potential highway implications. However at the time of writing this report no formal comments have been received. Any comments received will be reported on the addendum.

A planning application was recently refused at 54 Lancaster Lane for residential development. One of the reasons for refusal related to the potential for an influx of sporadic similar developments within the area which have the potential to impact on highway safety and the character of the area. To ensure that these concerns are alleviated in respect of this development the proposal incorporates provisions to enable future expansion into the neighbouring plots. This would ensure that a comprehensive form of development could be incorporated into the area.

There are mature trees located around the periphery of the site. The application forms state that no trees will be removed however a plan has been requested from the agent detailing the location of trees to be retained. These trees add to the visual amenities of the area and are considered to be a valuable amenity.

The Ecologist at LCC has raised a number of concerns in respect of the proposal. She is not concerned about the impact on protected species but does raise concerns in respect of the loss of valuable garden space. The proposed development however does incorporate private garden areas within the development which could act as future habitats. The Council will look into protecting the existing trees on site and the submission of landscaping details will be attached as a condition.

The design of the proposed properties will be dealt with at reserved matters stage to ensure that the proposal compliments the character and appearance of the surrounding properties. The submitted details state that the properties will be dormer style bungalows. Number 46 and 48 Lancaster Lane are detached bungalows although there is a mixture of property styles and types along Lancaster Lane. It is considered that the introduction of dormer style properties in this area will be in character with the surrounding area.

The proposed site is considered to be sustainable as it is accessible by a number of modes of transport including public transport and there are a number of local services within the immediate locality. As such the application site accords with Government advice contained in PPS1 and Policy GN9 of the Adopted Chorley Borough Local Plan Review.

Conclusion

It is established that the redevelopment of the site for residential development is considered to be acceptable in principle. The proposed development will not adversely impact on the amenities of the neighbours and will not adversely impact on the character or appearance of the area. As such the proposal is considered to be acceptable.

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

1. Application for approval of the reserved matters must be made to the Council before the expiration of three years from the date of this permission and the development hereby permitted must be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason: Required to be imposed by Section 92 of the Town and Country Planning Act 1990.

2. Before the development hereby permitted is first commenced, full details of the following reserved matters namely appearance and landscaping shall be submitted to and approved in writing by the Local Planning Authority.

Reason: The permission is in outline only and in accordance with Policy Nos. GN5, and HS4 of the Adopted Chorley Borough Local Plan Review.

3. During the construction period, all trees to be retained shall be protected by 1.2 metre high fencing as specified in paragraph 8.2.2 of British Standard BS5837:2005 at a distance from the tree trunk equivalent to the outermost limit of the branch spread, or at a distance from the tree trunk equal to half the height of the tree (whichever is further from the tree trunk), or as may be first agreed in writing with the Local Planning Authority. No construction materials, spoil, rubbish, vehicles or equipment shall be stored or tipped within the areas so fenced. All excavations within the area so fenced shall be carried out by hand.

Reason: To safeguard the trees to be retained and in accordance with Policy Nos. EP9 and HT9 of the Adopted Chorley Borough Local Plan Review.

4. Before the development hereby permitted is first commenced, full details of the position, height and appearance of all fences and walls to be erected (notwithstanding any such detail shown on previously submitted plans) shall have been submitted to and approved in writing by the Local Planning Authority. 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.

Reason: To ensure a visually satisfactory form of development, to provide reasonable standards of privacy to residents and in accordance with Policy No. HS4 of the Adopted Chorley Borough Local Plan Review.

5. The application for approval of reserved matters shall be accompanied by full details of existing and proposed ground levels and proposed building slab levels (all relative to ground levels adjoining the site), notwithstanding any such detail shown on previously submitted plans. The development shall only be carried out in conformity with the approved details.

Reason: To protect the appearance of the locality, in the interests of the amenities of local residents and in accordance with Policy Nos. GN5 and HS4 of the Adopted Chorley Borough Local Plan Review.

6. 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.

7. 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.

8. The development hereby permitted shall not commence until samples of all external facing materials to the proposed buildings (notwithstanding any details 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 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 of the Adopted Chorley Borough Local Plan Review.

9. 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 dwellings 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.

10. No development shall take place until a desktop study in order to identify any potential sources of land contamination associated with the development has been carried out and approved in writing by the Local Planning Authority. If the potential for contamination is confirmed further studies by the developer to assess the risks and identify and appraise the options for remediation will be required.

Reason: To protect the environment and to prevent harm to human health by ensuring that the land is remediated to an appropriate standard in accordance with Government advice contained in PPS23: Planning and Pollution Control and Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

11. Prior to the commencement of the development full details of the Management Company to deal with the future management and maintenance of the site shall be submitted to and approved in writing by the Local Planning Authority. The site shall thereafter be managed by the approved Management Company.

Reason: To ensure the satisfactory management of the private driveway and refuse storage/ collection at the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.
