

Item A.8 07/00999/FULMAJ Permit Full Planning Permission

Case Officer Mrs Nicola Hopkins

Ward Chorley South West

Proposal Proposed 14No Dwellings

**Location Parcel 8 Land 50m South Of 1 Folly Wood Drive Chorley
Lancashire**

Applicant Adactus Housing Group Ltd

Proposal The proposal incorporates the residential development of one of the parcels of land, which make up the Gillibrand Housing Development (known as Parcel 8). The proposal relates to the erection of 14 dwellings all of which will be affordable housing units.

The site is approximately 0.3982 hectares in size and forms part of the wider residential development of the area. The development will consist of 2 two-bedroom properties, 4 three-bedroom properties and 8 four-bedroom properties. The two and three bedroom properties will be two storey in height whilst the four bedroom properties will be three storey in height. The development consists of semi-detached properties.

Outline planning permission was granted at the site in 1997 for housing, outdoor play space, education facilities, local shopping and community building (96/00727/CB4)

Planning Policy Planning Policy Statement 3: Housing

North West Regional Spatial Strategy:

Policy DP1: Economy in the Use of Land and Buildings
Policy DP3: Quality in New Development
Policy UR7- Regional Housing Provision
Policy UR9- Affordable Housing
Policy ER5- Biodiversity and Nature Conservation.

Joint Lancashire Structure Plan 2001-2016:

Policy 7- Accessibility and Transport
Policy 12- Housing Provision
Policy 21- Lancashire's Natural and Manmade Heritage
Supplementary Planning Guidance: 'Access and Parking'

Chorley Borough Local Plan Review 2003:

GN1- Settlement Policy- Main Settlements
EP9- Trees and Woodland
EP10- Landscape Assessment
EP18- Contaminated Land
HS4- Design and Layout of Residential Developments

TR1- Major Development- Tests for Accessibility and Sustainability.

TR4- Highway Development Control Criteria

TR18- Provision for Pedestrians and Cyclists in New Developments

Planning History

96/00727/CB4- Regulation 4 outline application for housing, outdoor play space, education facilities, local shopping and community building. Approved

98/00301/REM- Reserved matters application for site reclamation & erection of 505 houses; incl. garages, roads, sewers, public open space, play areas, landscaping, community centre & shop(s). Amend condition 8 of outline planning permission. Approved

There have been numerous applications relating to the parcels across the whole of the site and in particular other affordable housing parcels:

03/01380/FULMAJ- Erection of 13 houses (Phase 12). Approved

03/01381/FULMAJ- Erection of 18 houses (Phase 11). Approved

There is also an application for Parcel 9 which is reported elsewhere on this agenda:

07/00998/FULMAJ- Proposed 24No Dwellings. Pending consideration

Representations

1 letter of objection has been received raising the following points:

- Loss of light
- Dust and noise
- Affect future resale of property

Consultations

The Director of Strategic Planning and Transport (Lancashire County Council) has made the following comments:

- The development responds to a local affordable housing family need
- The proposed development is in accordance with the JLSP 'Parking Standards' and reflect a design led approach as identified in PPS3 paragraph 16
- Provision should be made for mobility impaired parking, motorcycles and bicycles
- Policy EM17 of the draft regional spatial strategy for the North West requires that all residential developments of 10 or more units should incorporate renewable energy production to provide at least 10% of the developments predicted energy requirements. It is considered that the 10% target should be met unless the applicant is able to demonstrate that this achievement is not possible
- It is considered that the proposal conforms with the Structure Plan

The Director of Streetscene, Neighbourhoods and the Environment has made the following comments:

- The site falls within 50 metres of a former landfill site

- All development within 50metres of the Lawnwood Tip requires gas protection measures
- No development will be permitted within 10 metres of the Lawnwood site
- The proposed development will require incorporation of a comprehensive design to prevent the ingress of landfill gas

Assessment

The application site incorporates one of the remaining parcels of land which form part of the Gillibrand Housing Estate development. The principle of developing the site for housing was established with the grant of planning permission in 1997 (96/00727/CB4) and therefore the development, in principle, is considered to be acceptable.

The proposal incorporates the erection of 14 residential dwellinghouses all of which will be affordable and managed by Adactus Housing Group Ltd who are the applicants for the scheme. It has always been the intention, since the original grant of planning permission, that this site would accommodate affordable housing units and this site will aid in achieving the Council's affordable housing targets.

There is a significant slope across the site, which has recently been re-graded slightly although a slope does still exist. A plan has been submitted with the application detailing the current land levels and a separate plan details the proposed finished floor levels of the properties along with the height of the neighbouring residential properties.

The existing properties to the west of the site are three storey apartment blocks, which are located at a slightly lower land level than the application site. The ground floor windows of the apartments blocks are mostly obscured by the difference in land levels and the first and second floor windows achieve the required spacing standards, in respect of the proposed dwellinghouses located close to this boundary. As such it is not considered that the proposed development will adversely impact on the amenities of the occupiers of the apartments.

The properties to the east of the site are located at a higher land level than the application site and adequate space is retained between the proposed dwellinghouses and the existing dwellinghouses to ensure the amenities of the existing and future residents are retained.

In respect of the character of the area the proposal incorporates the erection of two and three storey properties all of which are semi-detached dwellinghouses. All of the properties along the southern boundary of the site, adjacent to the public footpath and area of open space, are three storey dwellinghouses. As this part of the site is the lowest area of the site and the fact that the neighbouring parcel of land accommodates three storey apartments ensures that three storey properties can easily be accommodated on this area of the site. Due to the variation of house styles and sizes within the area a mixture of two and three storey properties is considered to be acceptable within this location.

The application site is located adjacent to a former landfill site, the Lawnwood Tip, and as such there is the potential for the ingress of

land fill gas. There is a gas-venting stack located to the southern boundary of the site, which is visible on site. To prevent the ingress of landfill gas comprehensive design features will be required, to be incorporated into the scheme and no development will be permitted within 10 metres of the stack. The stack is located adjacent to the footpath and over 17 metres is retained between the dwellinghouses and the gas vent stack which is considered appropriate.

There are trees, which are protected by a Tree Preservation Order close to the application site. A tree report was submitted with the application, which confirms that the trees are actually located outside the application site although one of the trees does overhang the site and recommendations have been forwarded to ensure the continued protection of the trees.

Conclusion

The principle of developing the site for housing was established in 1997 and this parcel was always proposed to accommodate affordable housing. Although there is a significant slope across the site it is considered that the development can be accommodated on the site whilst ensuring the amenities of the future and existing residents are protected. The scheme will achieve additional affordable housing for the benefit of the Borough and as such the scheme is considered acceptable

Recommendation: Permit Full Planning Permission 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 51 of the Planning and Compulsory Purchase Act 2004.

2. 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.

3. 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.

4. 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.

5. 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 of the Adopted Chorley Borough Local Plan Review.

6. 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.

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 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.

8. The development hereby permitted shall only be carried out in conformity with the proposed building slab levels shown on the approved plans or as may otherwise be agreed in writing with the Local Planning Authority before any development is first commenced.

Reason: To protect the appearance of the locality and 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.

9. Surface water must drain separate from the foul and no surface water will be permitted to discharge to the foul sewerage system.

Reason: To secure proper drainage and in accordance with Policy Nos. EP17 of the Adopted Chorley Borough Local Plan Review.

10. Before the development hereby permitted is first commenced, full details of the measures to be incorporated into the development to prevent the ingress of landfill gas shall be submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall only be constructed in accordance with the approved scheme of landfill gas ingress prevention measures.

Reason: To protect occupiers from the ingress of landfill gas and in accordance with Policy No. EP16 of the Adopted Chorley Borough Local Plan Review.

11. 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 of the Adopted Chorley Borough Local Plan Review.

12. Prior to the commencement of the development the recommended tree works set out within the Report of Trees dated August 2007 (07.021-NE.doc) submitted with the application shall be undertaken. The work includes crown lifting the Sycamore Tree (reference T29) which overhangs the site to provide a 4 metre clearance from ground level.

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

13. Prior to the commencement of the development full detail of the proposed retaining wall shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed siting of the wall and the external appearance. The works thereafter shall be carried out in accordance with the approved plans.

Reason: In the interest of the visual amenities of the area and in accordance with Policy GN5 of the Adopted Chorley Borough Local Plan Review.

14. No development shall take place within 10 metres of the gas vent stack to the south of the application site.

Reason: In the interests of safety and in accordance with Policy EP16 of the Adopted Chorley Borough Local Plan Review

15. Before the development hereby permitted is first occupied details of the cycle parking provision shall be submitted to and approved in writing by the Local Planning Authority. The cycle parking provision shall be in accordance with the approved details.

Reason : To ensure adequate on site provision for cycle parking and in accordance with Policy No. TR18 of the Adopted Chorley Borough Local Plan Review.
