

**Item A. 2                      08/00203/FULMAJ                      Permit (Subject to Legal Agreement)**

**Case Officer                      Mr Andy Wiggett**

**Ward                                      Clayton-le-Woods North**

**Proposal                              Erection of 24 no. two storey dwellings including demolition of existing residential property.**

**Location                              605 Preston Road Clayton-Le-Woods Chorley PR6 7EB**

**Applicant                              Wainholmes Developments Ltd**

**Proposal**                              The application relates to the demolition of no. 605 Preston Road and the erection of 24 dwellings on the cleared site. The application will create a new improved access out onto Preston Road.

The application site was the large garden of a dormer bungalow. To the north is a large residential care home and to the south a site with planning permission as the last phase of a business park which currently extends behind the site.

As part of the proposal 30% affordable housing will be provided which equates to 7 units. The affordable housing will be on the basis of a mix of shared ownership and social rented property with the Great Places Housing Association acting as partners.

The proposal utilises 11 different two storey dwelling types at a density of 26 dwellings per hectare. All but four will be detached.

The current application is a revision to that considered by Committee in October 2007 and extends houses into the previously undeveloped area at the west end of the site. An amended plan has been submitted showing a revised access.

**Policy                                      Planning Policy Statement 3: Housing**

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

Joint Lancashire Structure Plan  
Policy 7 – Accessibility and Transport  
Policy 12 – Housing Provision  
SPG – Access and Parking

Chorley Borough Local Plan Review  
Policy GN1 – Settlement Policy- Main Settlements  
Policy EP9 – Trees and Woodlands  
Policy HS4 – Design and Layout of Residential Developments  
Policy TR1 – Major Development – Tests for Accessibility and Sustainability  
Policy TR4 – Highway Development Control Criteria

**Planning History**    **03/00519/OUTMAJ** – Outline application for demolition of existing dwelling and redevelopment for residential – Withdrawn  
**04/00481/OUTMAJ** – Outline application for demolition of existing dwelling and redevelopment for residential - Withdrawn  
**07/00868/FULMAJ** - Demolition of existing dwelling and development of 18 no. residential dwellings – permit subject to a legal agreement  
**07/01425/FULMAJ** – Development of 18 residential dwellings, moving of plots and change of house types - deferred

**Consultations**

Lancashire County Council Planning –  
Considers the proposal to conform to Structure Plan Policy

Clayton-le-Woods Parish Council –

Repeat their objections to development on the site on traffic grounds. Traffic exiting onto the A6 Preston Road, opposite to another housing estate and close proximity to roundabout and traffic island.

Director of Streetscene Neighbourhoods & Environment –

Wishes the application to be conditioned to require a desk top study with regard to land contamination issues.

Chorley Community Safety Partnership –

No observations to make.

Lancashire County Highways – the amended access arrangements are acceptable in principle but will require further work to accommodate the existing cycle facilities on the site frontage. There are amendments required to the internal layout including the provision of a footway and the design of the turning head being modified to allow for a refuse vehicle to turn. Suggested conditions are attached.

The Local Councillor has objected on the basis of the traffic hazards represented by the development and the potential for accidents

**Representations**    13 objections have been received to the proposal largely accepting the principle of residential development on the site but raising issue with the site access on the following grounds

- As a main route to the hospital, the approach is a blind bend and hence dangerous
- The site access would compromise the already busy access to St Bede's Primary School
- This is a main diversionary route for the M6/M61 motorways
- There would be additional for pedestrians, especially at school times
- HGVs use the road to access ASDA and the Walton Summit industrial estate

- The scale of traffic generated by the scheme would cause problems at the roundabout junction
- An alternative access should be investigated using Clayton Green Road
- 24 houses represents overdevelopment of the site

### **Applicant's Case**

The application is on previously developed land in a highly sustainable location

The design of the scheme is appropriate for this location and takes into account the need to preserve the amenity of neighbours. The proposals conform to the policies of the adopted development plan including GN1.

Planning permission can be granted in the knowledge that no unacceptable harm will arise to residential amenity and that the appearance and character of the area will benefit from the proposed development.

The development will provide seven affordable houses to meet the Council's policies to deal with the shortage of such housing.

### **Assessment**

#### *Principle of Developing the Site*

PPS3 stresses that the use of previously developed land should be maximised. Previously developed land (brownfield land) is defined in PPS3 and includes curtilages of land that is occupied by a permanent structure. The application site, therefore, comes within this definition and the use of the site for residential purposes is acceptable in principle as confirmed by the Strategic Planning Authority.

#### *Highway Issues*

The Highway Authority have commented that the amended access arrangements are acceptable subject to minor amendments. The previous application did not provide the detail necessary needed to assess the vehicular access onto Preston Road and this information has been provided in the form of a 1:500 scale plan allowing for right turn movements into Forsythia Drive and into the site.

There is the need to achieve adequate visibility along Preston Road from the new access. The 'Manual for Streets' suggests that for a road such as this, there should be a visibility distance along Preston Road of 56m, however, there is a bus stop and shelter to the south of the access point which impedes this visibility and will thus have to be relocated. This can be achieved by condition and covered by the necessary S278 agreement with Highway Authority.

In terms of internal layout the length of the cul-de-sac has given rise to a problem of access for refuse vehicles. The length that both residents and refuse collectors would have to walk exceeds the recommended distances set out in 'Manual for Streets' and the turning head will have to be modified to include paved overrun areas to allow a refuse vehicle to travel down the cul-de-sac and turn safely. This will be dealt with by condition in the absence of an amended plan. Similarly the provision of a footway is considered necessary again due to the length of the cul-de-sac in order to assist pedestrian safety.

All the objectors have raised the issue of highway safety with regard to the scheme but there is no evidence available to indicate that the junction as now proposed will not adequately cater for the revised scheme.

The site is within the settlement of Clayton-le-Woods and is located close to schools, shops and good public transport routes. The location of the site is considered to be sustainable and as such is acceptable.

#### *Housing Provision*

The proposal involves the erection of 24 new dwellings and in accordance with the Council's Managing Housing Land Explanatory Note, a minimum provision of 30% affordable/special needs housing is required on schemes of 15 or more dwellings.

The applicant has put forward in the supporting statement that 7 houses will be affordable units. The offer is for half rented accommodation and half shared equity and could be 2,3 or 4 four bed roomed units. A Housing Association would manage this part of the proposal. The Council's Strategic Housing Section have reached agreement on this aspect .

#### *Impact on the Character of the Area*

This is a mixed use area and the site has a large residential care home to the north and to the west and south there is a business park with buildings standing in landscaped grounds. The development of the site for residential purposes will not detract from the character of the area to any extent as the houses will be two storey with a variety of styles which reflects that there is no one predominant design to be found in the area.

#### **Conclusion**

It has been established that the principle of developing the site for residential purposes is acceptable. The layout, with amendments, can be made acceptable in terms of highway safety and it is not considered that the proposal will adversely affect the character of the area or create an incongruous development. The development is different in character to that to be found to the north of the site but immediately to the south of it will be the offices allowed as the last phase of the Clayton Green Business Park. The housing scheme, therefore, is at the point where this change of urban form takes place.

#### **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 51 of the Planning and Compulsory Purchase Act 2004.*

2. The development hereby permitted shall not commence until full details of the colour, form and texture of all external facing materials to the proposed buildings 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.*

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. The development hereby permitted shall not commence until the applicant has submitted to and had approved in writing by the Local Planning Authority a report to identify any potential sources of contamination on the site and where appropriate, necessary remediation measures. The report should include an initial desk study, site walkover and risk assessment and if the initial study identifies the potential for contamination to exist on the site, the scope of a further study must be agreed in writing by the Local Planning Authority and thereafter undertaken and shall include details of the necessary remediation measures. The development shall hereafter only be carried out following the remediation of the site in full accordance with the measures stipulated in the approved report.

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

6. Before development commences a scheme indicating the removal and relocation to an agreed position of the bus stop and shelter to the south of the proposed access into the site on Preston Road shall be submitted to and agreed in writing by the Local Planning Authority in consultation with the Highway Authority. The works shall be carried out prior to the opening of the new access.

*Reason: In the interests of highway safety and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

7. No part of the development hereby approved shall be occupied until the approved scheme referred to in Condition has been constructed and completed in accordance with the scheme details.

*Reason: In order that the traffic generated by the development does not exacerbate unsatisfactory highway conditions in advance of the completion of the highway scheme/works.*

8. Notwithstanding the submitted plans, before development commences a scheme showing the extension of a 2m wide footway on the southern side of the access road within the site from that shown along the first stretch of access road shall be submitted to and agreed in writing with the Local Planning Authority in consultation with the Highway Authority. The footway shall be constructed prior to the occupation of the first dwelling on the site.

*Reason: To ensure the safety of pedestrians within the site and in accordance with Policy TR4 of the Adopted Chorley Borough Local Plan Review.*

9. This consent relates to the amended plans, numbered 1128/02 and AL-001 received on the 19<sup>th</sup> March 2008.

*Reason: To define the consent and to ensure all works are carried out in a satisfactory manner.*

10. The estate road /access between the site and Preston Road shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level before any development takes place within the site.

*Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.*

11. Before the use of the site hereby permitted is brought into operation facilities shall be provided within the site by which means the wheels of vehicles may be cleaned before leaving the site.

*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.*

12. 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 in writing by the Local Planning Authority in consultation with the Highway Authority.

*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.*

13. Notwithstanding the submitted plans, before development commences a scheme showing paved swept areas capable of allowing for the safe turning of refuse vehicles at the turning head of the cul-de-sac shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented before the occupation of the first dwelling on the site.

*Reason: Vehicles reversing to and from the highway are a hazard to other road users and in accordance Poicy TR4 of the Adopted Chorley Borough Local Plan Review.*

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