

**Item A.1**                      **08/00320/OUTMAJ**                      **Refusal of Outline Planning Permission**

**Case Officer**                      **Mr David Stirzaker**

**Ward**                                      **Lostock**

**Proposal**                              **Outline planning application for the residential redevelopment of the site comprising of 50 dwellings (comprising of mix of apartments, 2 storey and 2.5 storey dwelling houses), and means of access into the site,**

**Location**                              **Croston Timber Works Goods Yard Station Road Croston  
LeylandPR26 9RJ**

**Applicant**                              **Mr S Woolley**

**Proposal**                              This application proposes the redevelopment of the former Woodworks site at the northern end of Station Road within the rural settlement of Croston. The application is submitted in outline format wherein only access is being applied for at this stage. However, in accordance with Circular 01/2006, an indicative layout plan has been submitted detailing a mix of 2.5 and 3 storey town houses and a 3 storey block of apartments resulting in a total of 50 units on the site. An indicative layout is detailed in the Design & Access Statement submitted with the application. In terms of affordable housing, a 30% (16 units) level will be provided across the site made up of a proportion of the 2 bed apartments.

**Background**                              The application site represents approx. 0.75 hectares of land to the north end of Station Road in Croston and is bounded by the railway line, the Croston station car park and Langdale Avenue to the south. Access is adjacent to the De Trafford Arms Public House off Station Road. The buildings on site were previously, although not recently, used as a woodworks (approximately 500 sq m). This use ceased in 1992. The site had become very overgrown although just recently the vegetation and self seeded trees have been cleared. However, the site still has the appearance of being abandoned and prior to being fenced off had attracted youths to congregate in the abandoned building/s.

Outline planning permission was first granted in June 1997 for 19 dwellings and this was renewed for the same number in July 2000. An application for reserved matters was submitted in June 2003, but this indicated 31 dwellings and was invalidated, with advice that the submission should relate to only 19 dwellings. The applicant did not respond to correspondence resulting in the outline planning permission lapsing and the reserved matters submission being withdrawn.

The site was identified in the former Local Plan by Policy H6 as a site occupied by a non-conforming use wherein its redevelopment for residential purposes was considered suitable. However, the allocation of the site was not carried forward in the Adopted Local Plan Review.

## **Applicants Case**

The applicant has submitted a Design & Access Statement, Planning Statement, Transport Assessment and a Noise and Vibration Assessment in support of the application.

The applicant also carried out a consultation exercise wherein a public exhibition was held at Bishop Rawsthorpe High School on 14<sup>th</sup> January of this year to engage with local residents and address any concerns expressed at the time. The applicant states that 26 written responses were received as a result of the exhibition which raised various concerns relating to the number of units proposed, the height of the development, need for more bungalows, the level of car parking provision and the sewerage/infrastructure capacity. The applicant states that the scheme has been amended as a result of comments received wherein the height of the apartment block has been reduced from 4 to 3 storeys in height. In addition, the proposed dwellings in the western corner of the site have been reduced from 3 to 2.5 storeys in height.

The applicant states that the design and layout of the development has been carefully considered and that it will remove the existing dilapidated buildings and issues of anti-social behaviour associated with these and deliver a high quality residential environment, which will provide a positive contribution to the wider character of the village. The applicant states that this will not only materially improve the character and visual appearance of both the site and local area but will have a positive impact upon the amenity of local properties. The site is well related to local shops, services and public transport facilities.

The Transport Assessment concludes that the development will provide a substantial improvement to the existing access off Station Road, will provide an improved formal access into the railway station car park, the proposed site access arrangements can adequately cater for the proposed development traffic and that the proposals will have a negligible impact on the surrounding local highway network.

The Noise and Vibration Assessment concludes that the proximity of the site to the railway line and the existing levels of noise it creates need not be considered a determining factor when granting planning permission.

## **Planning Policy**

National Planning Policy

PPS1 - Sustainable Development

PPS3 - Housing

Department of Transport Guidance: Manual for Streets

Joint Lancashire Structure Plan

Policy 7 (JLSP) - Accessibility & Transport

Policy 12 (JLSP) - Housing Provision

SPG (To Policy 7) - Access & Parking

Chorley Borough Local Plan Review

GN4 - Settlement Policy – Other Rural Settlements

GN5 - Building Design & Retaining Existing Landscape Features

EP16 - Contaminated Land

EP18 - Surface Water Run Off

EP19 - Development & Flood Risk

HS4	-	Design & Layout of Residential Developments
HS6	-	Housing Windfall Sites
EM4	-	Protection of Employment Sites in Rural Settlements
TR4	-	Highway Development Control Criteria
HS6	-	Housing Windfall Sites
TR18	-	Provision for Pedestrians & Cyclists in New Development
SPG	-	Design Guidance

## Planning History

Ref No. 96/00470/OUT – Outline application for housing. Planning permission was granted on 11<sup>th</sup> June 1997 for the erection of 19 dwellings.

Ref No. 00/00355/OUT - Outline application for 19 dwellings (Renewal of 9/96/470). Planning permission was granted on 6<sup>th</sup> July 2007.

Ref No. 03/00661/REMMAJ - Reserved Matters for 31 dwellings and associated works. This application was withdrawn on 11<sup>th</sup> August 2003 as it obviously did not accord with the outline permission hence could not be considered as a Reserved Matters application.

Ref No. 03/00846/FULMAJ - Erection of 28 houses with associated roads and sewer. This application was refused on 26<sup>th</sup> September 2003 mainly on windfall housing grounds.

## Consultations

**Croston Parish Council** object to the application. The comments submitted can be summarised as follows: -

- The density of the development is too high and would impact detrimentally on existing services including drainage and sewerage provision
- The applicant fails to mention that the previous outline planning permissions were for only 19 and 28 dwellings
- A need for apartments in the village is not evidenced in the Parish Plan
- The height of the properties proposed are not in keeping with those found in Croston
- The high density of the development and the low level of parking spaces will lead to problems on this site that are already experienced on other new build developments in the village
- Garages are rarely used for parking and end up being used as garden sheds
- The actual parking requirement is well in excess of the 1.5 per dwelling average
- The development could lead to residents parking on the Railway Station car park potentially leading to charging thus hitting local commuters
- The recycling area at the car park may have to be moved to make way for parking spaces
- The number of vehicles associated with the development will impact on traffic flows through the village and increase congestion
- The developer has incorrectly referred to rail services being more frequent than they actually are
- The developer incorrectly states that there are 4 schools in the village but two of these have recently closed
- The development will increase pressure on the schools

- The doctors surgery is close to capacity
- The report gives the impression that there are many shops of diverse range
- A barn owl is nesting in the main building

**LCC (Ecology)** advise of the need for an initial bat survey, which the applicant has carried out. This is currently being assessed by LCC (Ecology) and that a Barn Owl survey should be carried out prior to development commencing and made the subject of a planning condition. In relation to Great Crested Newts, the advice is that the development is unlikely to impact upon populations of them hence a survey is not required.

**Strategic Housing** raise no objection to the 30% level of shared ownership affordable housing proposed on the site in the form apartments but make recommendations in relation to the requirements of the Section 106 agreement.

**LCC (Strategic Planning)** raise no objections to the principle of the development and consider that it conforms to the Joint Lancashire Structure Plan provided that

**Planning Policy** section advise that the development accords with Policy GN4 in that 30% affordable housing is proposed and the site is previously developed land that has not been cleared.

The **Corporate Director (Neighbourhoods)** advises of the need for Desk Study to investigate potential contamination and advises that adequate waste storage and collection facilities should be provided.

The **Architectural Liaison Officer** raises no objection but advises that consideration should be given to incorporating the design specification of 'Secured by Design'.

**LCC (Highways)** do not have any objections to the principle of the development subject to securing a developer contribution of £49,000 towards improvements to the adjacent bus stops, evening bus services, provision of a shelter at the station and lighting to the station car park and the imposition of various highway related conditions.

The **Environment Agency** raises no objections to the application subject to the imposition of a condition relating to surface water regulation and ground contamination investigation.

**Network Rail** raises no objection but suggest various conditions and informatives in relation to the development due to the railway line bounding the northwestern site boundary.

**United Utilities** raise no objections but do advise that the site should be drained on a separate system with only foul drainage connected into the foul sewer and that surface water should discharge to the watercourse/soak away/surface water sewer and may require the consent of the Environment Agency.

The **Regeneration and Urban Design Manager** has made comments on the originally submitted plans and suggested an alternative layout. In response to this, the applicant has submitted an amended Design & Access Statement, which justifies the 3

storey elements of the development and has also submitted an amended layout.

The **Coal Authority** offers Standing Advice.

## **Representations**

To date, 25 individual letters and comments made through the public access system raising objections have been received. A duplicate letter signed by 154 different Croston residents has also been received again raising objections to the development. The contents of the objections can be summarised as follows: -

- The density of the development is too high and not in line with the type of housing identified in the Croston Parish Plan
- Not enough car parking is being provided
- The additional traffic associated with the development will only make the problems of parked cars on the roads in Croston worse
- The position of the access will make it hazardous to old and young alike in Croston
- There are a number of inaccuracies with the application in that there are only 2 schools in Croston, 2 convenience stores, 2 hairdressers, a pharmacy and a school outfitters and they are not situated together and public transport is not as frequent as stated
- The development would put a strain on the sewerage system and local schools
- The trees on the site have been cleared
- Access into the site is totally unacceptable
- The building in the yard is currently home to a Barn Owl and a number of Bats
- Croston does not have the amenities to cope with more housing
- The site sits approx. 2m above the adjacent properties to the south on Langdale Avenue
- The development will impact on the privacy of local residents adjacent to the site
- Croston already has a major problem with flash flooding and the development will increase the risk of flooding
- Any housing on the site must meet the needs of local people
- Properties on Langdale Avenue will experience a loss of light and also experience loss of privacy through incumbent noise and disturbance
- No employment opportunities are being provided
- The high density nature of the development will lead to increased commuting and pollution
- Whilst the provision of affordable apartments is laudable, the apartments by virtue of some being affordable, could affect local property values and the word 'ghetto' could be applied to such a strategy
- Croston has existing problems with water and power supplies and these points are not addressed in the application

- The existing properties on Langdale Avenue have enjoyed privacy for many years
- Modern 3 storey houses and flats are not in keeping with the historic village of Croston
- Has the site been tested for toxins

## Assessment

### Principle of development

The site lies within the Croston settlement area and in accordance with Planning Policy Statement 3: Housing, the site is considered to be previously developed land and as such, previously developed land is that which is or was last occupied by a permanent structure including the curtilage of the developed land and any associated fixed surface infrastructure. In this case, the land was last used as woodworks and the buildings remain on site. PPS3 encourages the redevelopment of previously developed land as opposed to developing Greenfield land hence the principle of redeveloping the site for residential development accords with Government guidance in PPS3. The development also accords with the objectives of Policy No. 12 of the Joint Lancashire Structure Plan in that it makes a contribution to the supply of affordable housing in Croston with 30% of the properties being set aside as shared ownership apartments.

In terms of Policy EM4 (Protection of Employment Sites in Rural Settlements) of the Local Plan, this site has previously been granted planning permission for residential redevelopment (Ref Nos. 96/00470/OUT and 00/00355/OUT) and whilst these were never taken forward, by virtue of this it is considered that the principle of the residential redevelopment of this site has long been established. Moreover, Policy H6 of the previous Local Plan actually identified the site as one suitable for residential redevelopment as and when it became available as it was considered not to be compatible with the surrounding uses.

The site is positioned directly adjacent to Croston railway station and several bus stops hence for a site within a rural settlement; the sustainability of the site, given it is in a rural settlement is above average. Moreover, a developer contribution requested by LCC (Highways) could go in part towards improving evening bus services. The development is therefore considered to be in line with the broad sustainability objectives set out in PPS1.

### Affordable Housing

The applicant is proposing to make 30% (16) of the dwellings proposed shared ownership affordable units. This will be made up of a proportion of the 2 bedroom apartments and no objections have been raised by Strategic Housing in relation to this. As detailed, in accordance with Policy 12 of the Joint Lancashire Structure Plan and Policy GN4 of the Local Plan, the provision of a 30% level of affordable units across the site meets the objectives of these Policies thus also establishes the principle of the development. The affordable units would be transferred to a Housing Association who would then manage the affordable apartments thereafter.

## Design & Density Issues

The final design of the development across the site is reserved for approval at a later stage and would be one of the elements detailed in a Reserved Matters application if outline permission were to be granted. Only access is being applied for at this stage although Circular 01/2006 stipulates that the Design & Access Statement should form part of the approval hence conditions can be utilised to ensure the future development of a site is carried out only in accordance with the principles set out in the supporting Design & Access Statement.

The development proposed will comprise of a mix of 2.5 and 3 storey town houses and a 3 storey apartment block. The site is approx. 0.75 hectares in size and the provision of 50 dwellings on it equates to a density of approx. 67 per hectare.

This high density is in part due to the provision of the apartments in the northeastern corner of the site as otherwise the density would be lower if the site comprised wholly of town houses. The linear terraced rows of properties are to an extent reflective of the local character prevalent along Station Road hence so is the density. In terms of the 3 storey elements, namely the town houses and the apartment block, to which some objections have been raised, it is considered that the applicant has in part demonstrated this aspect of the development can be accommodated on the site without being wholly out of character with the Croston locality. However, whilst 3 storey development can be found on the redeveloped Jubilee Mill Works site off the new Moor Road mini roundabout just before the railway station which is just a short distance away to the north east of the application site and 2.5 storey development can also be found on the redeveloped Orchard Mill site off Westhead Road which is towards the southern end of Croston much closer to the Conservation Area, this has not necessarily set a good benchmark. Both of these modern developments incorporate terraced type properties at high densities akin to the ones proposed by this application and it is evident that there are parking problems associated with these sites by virtue of the limited amount of car parking originally provided along with the layout. Whilst car parking levels would have accorded with the normal standards, they do not always offer a practical level of car parking provision tailored to a particular site and locality.

In terms of the internal layout relationship between proposed properties within the development, the intervening distance between the rows of terraced properties fronting the internal road will be less than the usual 21m. However, this is reflective of the type of terraced development that can be found in Croston and is in line with the guidance found in section 5.4 of Manual for Streets which sets out typical road widths. For example, it states that between mews properties, the distance should be 7.5m to 12m whilst between properties on a residential street; the distance should be between 12m to 18m. The distances proposed are a minimum of 15m and a maximum of 18m, which is considered to be consistent with the design guidance contained in Manual for Streets hence there are no concerns with this element of the development.

The layout comprises of a simple linear road serving the terraced properties fronting onto either side of it with a terrace of 6 no. properties located at the eastern end of the site with parking spaces in front. The layout reflects the predominant terraced properties on Station Road and is also a result of the constraints placed on the development of the site by virtue of its shape and dimensions. However, at the western end of the development, no turning head for bin and service vehicles has been provided and due to the density of the development and additional parking spaces provided, the layout is cramped so limited scope exists to provide such a facility. Also, there is no real focal point designed into the scheme at this end to add visual character to the development and help create a sense of place rather than the same house type simply being repeated. The same can be said for the 4 no. 3 storey properties proposed at the entrance to the site. Again, the only focal point here would be the sheer mass of the buildings. This element of the development needs more consideration given it marks the entrance to the site and signifies the start of the development. The number of dwellings is again cramped in this position and a more acceptable solution would probably to provide 2 no. high quality detached dwellings referencing the traditional local character found throughout Croston.

The properties on the left hand side of the development fronting the internal road are also considered to be too high at 2.5 storeys. In particular, they would tower over the recently constructed bungalow and present a tall blank gable when seen from Station Road. The preference would be for the provision of more traditionally proportioned 2 storey properties nearest to the entrance.

The development is therefore unquestionably cramped with no space available to provide additional parking and turning facilities for a refuse collection vehicle. It is therefore considered that the design, layout and density of the development is not acceptable and does not accord with the objections of guidance in PPS1 and PPS3 and the other Policies in the development plan.

#### Impact on Neighbour Amenity

Whilst only access is being applied for, the submitted indicative layout in the Design & Access Statement specifically details the position and scale of the dwellings and Circular 01/2006 stipulates that the future development of a site should be carried out in accordance with the principles set out in the said Design & Access Statement.

The 2.5 storey dwellings are all proposed 21m from the properties to the south on Langdale Avenue. However, the applicant has not submitted any levels details hence the slab levels of the proposed dwellings are not known. This being the case, it is not possible to fully assess if 21m will actually be a sufficient distance to safeguard the amenities of residents on Langdale Avenue, as it could be the case that the dwellings are built above the level of these dwellings. In terms of the relationship between the pair of semi-detached properties 26 and 28 Langdale Avenue and the gable of the proposed dwelling in the southwestern corner of the site, this distance will be just over 12m, which again is in accordance with the Council's Spacing Standards. However, in



the absence of levels details, it is not possible to assess if this distance will be acceptable, especially given 2.5 storey properties are proposed that will invariably have steeply pitched roofs and higher eaves levels to accommodate room in the roof space.

In terms of the relationship with 8B Langdale Avenue, a recently constructed and extended true bungalow (Ref Nos. 02/01125/FUL / 06/01114/FUL), the rear elevation of the nearest property will be approx. 15m away and 8B Langdale Avenue lies close to and behind a timber fence which has been constructed on top of a low retaining wall so views into the habitable room windows of this property in its elevation facing the site from the first floor windows in the proposed dwellings will not be attainable and the first floor windows in the said nearest dwellings are approx. 15m from the boundary with 8B Langdale Avenue. However, in the absence of levels details, it is not possible to gauge the level difference between the proposed properties and this one hence there is a lack of certainty that an interface distance of 15m is acceptable in order to safeguard the amenities of the occupier of this property. In terms of the relationship between the apartments and Station House, the apartment block will be sited approx. 14m from the garden curtilage boundary of station house and in terms of the property itself, at its nearest point will be approx. 23m away, which is considered a suitable distance to safeguard the residential amenities currently enjoyed by the occupier/s of this property as the land level is uniform between the two. The internal layout of the apartment block will have to ensure that any habitable room windows in the apartments, especially those on the top floor are sited in positions that do not allow for unacceptable levels of overlooking into the garden area of Station House.

### Highways

LCC (Highways) have no objections in principle to the development subject to securing a contribution of £49,000 from the developer towards improving the bus stops, evening bus services, station car park lighting and for the provision of a shelter on the railway station platform. The applicant has agreed to pay these sums, which will be secured through a Section 106 Legal Agreement.

In relation to the actual development, as already detailed, only access is being applied for at this stage and the application proposes upgrading the existing ad-hoc access into the site and the railway station car park. The new access will essentially create a significantly upgraded and improved entrance from Station Road that will serve the site and the railway station car park and comprise of a properly constructed carriageway at a width of 5.5m with formal kerbed radii of 6m and a 2m wide footpath on both sides. The access is the same as approved on previous applications, albeit these were never implemented.

The level of parking across the site is not considered to be acceptable and whilst the town houses benefit from 2 no. spaces comprising of a driveway and integral garage, in reality, it is unlikely that the integral garages will actually be used for the parking of a car hence if the household has more than 1 vehicle, it will invariably lead to on street parking and potentially parking on the railway station car park. The apartments benefit from 1 no. space each with 6 additional spaces for visitors. However, as with

the town houses, the level of parking provision in relation to the apartments is not considered to be acceptable and even though the site is adjacent to the railway station, it is still likely that a large proportion of the apartment occupiers will have more than 1 vehicle per household thus using up any available visitor parking spaces. The knock on effect will be further on street and ad hoc parking. Again, this situation could result in cars being parked on the railway station car park and/or in an ad hoc manner through the development.

On this basis, it is considered that the design and layout of the development fails to provide the best solution for the site in terms of parking and access.

#### Drainage, Surface Water & Flooding

No objections have been raised by the Environment Agency and United Utilities. However, concerns have been expressed by the Parish Council and residents in relation to the capacity of the drainage network and flooding. These matters will have been duly considered by the above consultees. The Environment Agency advise that a condition should be imposed requiring a scheme to attenuate surface water run off rates to existing levels to reduce the increased risk of flooding be submitted and approved prior to development commencing. In effect, this will mean that the surface water entering the drain system will be controlled to current levels. United Utilities advise that surface water must be drained on a separate system and should discharge to a watercourse/soakaway/surface water sewer, which may require the consent of the Environment Agency. It is also stated that if surface water is discharged to the public surface water sewerage system, then the flow rate may have to be attenuated to a maximum discharge rate first determined by United Utilities. On this basis, there are no concerns regarding drainage and surface water run off.

#### Ecological Issues

LCC (Ecology) have requested an initial Bat survey be undertaken and the applicant is currently undertaking this hence the results and any additional conditions required will be reported to Members in the Addendum. A condition is recommended requiring a Barn Owl survey to be undertaken prior to development commencing although it is advised that this be made the subject of a planning condition. No issues are raised in relation to Great Crested Newt surveys although an informative is recommended making the applicant aware that if their presence is detected, Natural England should be contacted for advice. An informative is also recommended in relation to works that could impact on breeding birds.

#### **Conclusion**

On the basis of the above report, it is considered that the residential redevelopment of this site in the format proposed is not acceptable and does not therefore accord with the objectives of the requisite Planning Policies detailed in this report.

**Recommendation** On the basis of the above, it is recommended that outline planning permission should be refused.

**Reasons to follow**

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