

## **APPLICATION REPORT – 18/00191/FUL**

**Validation Date: 16 March 2018**

**Ward: Adlington And Anderton**

**Type of Application: Full Planning**

**Proposal: Erection of 7no. dwellings and associated works**

**Location: Land Rear Of 24/26 Westhoughton Road Adlington**

**Case Officer: Mr Iain Crossland**

**Applicant: Mr E Joynt**

**Agent: Mr Joshua Hellowell**

**Consultation expiry: 22 May 2018**

**Decision due by: 7 November 2018**

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### **RECOMMENDATION**

1. It is recommended that planning permission be granted subject to conditions and a Section 106 Obligation to secure the provision of a commuted sum for the provision of new play equipment at King George V Play Area.

### **SITE DESCRIPTION**

2. The application site is located on land to the south of Rawlinson Lane between a railway line to the east and existing residential development to the west. It is located within the settlement area of Adlington and is currently accessed via a short road currently serving three properties.
3. Whilst bordered by trees, a large majority of the site is covered by hardstanding, with the site previously being used intermittently for storage purposes, and more recently as a base for Network Rail contractors to carry out works to the railway. The site is long and narrow at approximately 20m in width, extending to approximately 285m in length.
4. The character of the surrounding area is residential and consists largely of modern detached dwellings with more traditional terraced and semi-detached dwellings to the west of the site facing Westhoughton Road. The railway line to the east of the site is a notable feature in the context of the application site. It is noted that permission has been previously granted, in 2016, for the erection of two dwellings to the north of the application site (application ref 16/00498/FUL) adjacent to no.3 Mercer Court.

### **DESCRIPTION OF PROPOSED DEVELOPMENT**

5. The application seeks planning permission for the erection of 7no. dwellings and associated works. Access would be taken from Mercer Court and the dwellings would be set out in a linear arrangement along an access drive with a turning head to the far south of the site. The dwellings themselves would be of a traditional design style although their scale would be similar to that of a dormer bungalow. The parking and gardens would be positioned to the sides of the proposed dwellings.

## REPRESENTATIONS

6. Representations in objection to the proposed development have been received from the occupiers of 8 addresses. These raise the following issues:
  - Impact on drainage and flooding on the proposed properties and existing properties.
  - The gardens to the rear of Westhoughton Road flood due to the presence of a natural underground water supply.
  - Impact on wildlife.
  - Existing issues of noise, dust and air pollution from railway engineering works.
  - The ground is clay, which impedes natural drainage.
  - Water flows from gardens to the west of the site onto the application site.
  - If approved no work should take place during the summer.
  - The area is an area at risk of flooding.
  - If surface water is prevented from draining onto the application site from gardens to the west then the dwellings along Westhoughton Road would be affected.
  - Inadequate local electricity supply to support more dwellings.
  - Impact on highway safety.

## CONSULTATIONS

7. Regulatory Services - Environmental Health: Have no objection subject to conditions.
8. Waste & Contaminated Land: Have no objection subject to a condition.
9. Lancashire Highway Services: Have no objection subject to conditions.
10. Lead Local Flood Authority: Have no objection.
11. United Utilities: Have no objection subject to conditions.
12. Network Rail: Objection to the layout of the dwellings in relation to the less than 2m gap from the railway boundary.
13. Greater Manchester Ecology Unit: Have no objection.
14. Adlington Town Council: Object to the application and consider that the land is unsuitable for development for the following reasons:
  - The plans submitted are unclear and inconsistent as to the proposed location of the buildings
  - The ecological survey indicated no evidence of wildlife, but local residents disagree and have reported the presence of hedgehogs, frogs, toads and birds on adjacent land
  - The area is subject to localised flooding in wet weather conditions. Additional development could therefore adversely impact on existing residents unless additional land drainage was provided
  - Residents along Westhoughton Road have been subject to frequent power outages which implies that additional or an improved power infrastructure in that area would be required to supply additional properties
  - The access to the site is onto a narrow road (Rawlinson Lane) at a junction where visibility for motorists is impaired by the wall of the railway bridge. Additional traffic at this junction would be detrimental to road users whether exiting the development or passing the junction.

## PLANNING CONSIDERATIONS

### Principle of the development

15. The National Planning Policy Framework (The Framework) states that housing applications should be considered in the context of the presumption in favour of sustainable development. This means that development proposals that accord with the development plan should be approved without delay.

16. Policy 1(d) of the Central Lancashire Core Strategy states that some growth and investment will be encouraged in Urban Local Service Centres such as Adlington, where the site is located, therefore, the proposed development is in line with this policy.
17. The application site is not designated within the local plan and is previously developed land. One of the core principles of the Framework is that development should be focussed in locations that are sustainable. It is considered that the site is located in a sustainable location within easy access of amenities and public transport. The Framework also states that development in sustainable locations should be approved without delay.

#### Design and impact on the character of the area

18. Policy BNE1 of the Chorley Local Plan 2012 – 2026 states that planning permission will be granted for new development, including extensions, conversions and free standing structures, provided that the proposal does not have a significantly detrimental impact on the surrounding area by virtue of its density, siting, layout, building to plot ratio, height, scale and massing, design, orientation and use of materials.
19. The application site is located off Rawlinson Lane, via Mercer Court, and is a long narrow strip of land between the railway to the east and existing residential development to the west. The site does not occupy a prominent position and the proposed dwellings on the site would only be visible via glimpses from distance. As such any development of the site would have a limited visual impact on the broader character of the area.
20. The proposed development comprises seven detached dwellings set out in a linear arrangement along an access drive that terminates in a turning head. The dwellings themselves are of a traditional design style although the scale of the dwellings would be similar to that of a dormer bungalow. Given that the site is hard surfaced, is currently used as a site compound for Network Rail and has been used sporadically for outdoor storage in the past the proposed development would improve the appearance of the site. The dwellings themselves comprise features such as art stone heads and sills, brick detailing, and gables with large areas of glazing. These would provide diversity and interest. It is noted that there are a range of property types in the area, and the use of a traditional design style is compatible with the character of the surrounding area.
21. The properties would all have garden areas to the sides providing sufficient space for the storage of bins and driveway parking, as well as private outdoor amenity space. The frontages would be open plan contributing to an open and uncluttered street scene, and appropriate boundary treatments would be secured by condition.
22. The overall density of the development would reflect the urban character of the area and density of nearby housing, which consists of modern detached dwellings and older terraces and semi-detached properties.
23. Overall the layout and design of the proposed development is considered acceptable and appropriate to the existing surrounding development and is in accordance with policy 17 of the Core Strategy.
24. The development is, therefore, considered to be in accordance with Policy BNE1 of the Chorley Local Plan 2012 – 2026.

#### Impact on neighbour amenity

25. The proposed dwellings contain the majority of living space at ground floor with a single habitable room in the roof space that is set in from the front elevation and separated from the window by a void space. The nearest residential properties to the site are located to the west side of the site at Kings Lea. All of these dwellings are positioned at an angle to the proposed dwellings and, therefore, no parallel facing window relationships would be created.
26. The dwellings at 8, 9, 10, 15, 16 and 17 Kings Lea are positioned closest to the site and their rear gardens bound the site. The proposed dwellings would be positioned to the east of

these existing dwellings and the degree of separation is such that there would be no adverse impact on light or outlook given the design and scale of the proposed dwellings.

27. It is, therefore, considered that the impact on the amenity of neighbouring occupiers from the proposed development is acceptable. It is also considered that the relationships between the proposed dwellings themselves is acceptable subject to suitable boundary treatment.
28. The application site is located adjacent to a railway line and, therefore, the impact of noise upon the amenity of future residents is of some concern. A noise assessment has been submitted in support of the application, which the Council's Environmental Health Officer (EHO) considers has used appropriate assessment criteria and has been carried out using a reputable environmental consultant and is, therefore, suitable. Measurements of noise levels, largely from passing trains, have been taken over a period of more than 2 weeks and these measurements have then been used to predict likely internal and external noise levels at the proposed properties.
29. The EHO accepts the conclusions and recommendations contained within the report subject to the consideration of planning conditions relating to the specification of windows and soundproofing that reflect the recommendations set out in the report.
30. A suitable rail vibration assessment has also been provided and the conclusions of the report are accepted, which states that there should not be an adverse impact from vibration based on vibration measurements taken on site.
31. It is noted that there is a history of complaints from local residents concerning night time noise, fumes from diesel generators and excess light, which were received by the Environmental Health section in July 2017. These complaints concern the use of the proposed development site by Network Rail as a depot and line access point in connection with the ongoing rail electrification works, although it is understood that the site was used by Network Rail for this purpose for some time prior to July 2017. Network Rail has a right of access to the track in the proposed development area to carry out operational works to the railway.
32. Although some concerns have been raised with regards to further disturbance if the proposed development is approved and implemented it is noted that the building of houses on this land would prevent the ongoing use of the land as a depot and storage area, which has caused a number of problems for local residents. The Council's EHO, therefore, supports this application, although it is noted that the right of access to the track may remain.
33. The proposed development is likely to improve the situation for local residents from a noise and disturbance perspective, however, it is recommended that a Construction Method Statement is required prior to the commencement of any construction, given the narrow nature of the site, proximity of neighbouring dwellings and history of noise complaints.

#### Highway safety

34. The application site would be accessed from Mercer Court, which in turn provides an existing vehicular access to Rawlinson Lane. The access to Mercer Court would be realigned by moving the radii kerbs towards the east following the shortening of the length of the brick wall. As the wall is at a raised level relative to the carriageway of Mercer Court, the height of the wall and its piers would be reduced to no more than 0.600m to provide a clearer sightline for drivers in order for vulnerable pedestrians, such as children, to be seen when negotiating the junction. The junction alterations would be carried out through the section 278 agreement of the highways act 1980. On this basis LCC consider that the proposed development is acceptable from a highway safety perspective.
35. In terms of the parking requirement off-street car parking would be provided in accordance with the current Chorley Council parking standard set out in Appendix A of the Chorley Local Plan 2012 - 2026, which requires two parking spaces per three bedroomed dwelling.

### Drainage

36. The application site is a low lying strip of land that has been hard surfaced and currently has a low level of permeability. This is evidenced in the indicative drainage strategy that has been submitted in support of the application, which has identified the site lying in a region characterised by slowly permeable seasonally wet slightly acid but base rich loamy and clayey soils with impeded drainage that is not conducive to infiltration. The indicative drainage strategy proposes that surface water runoff from the proposed buildings roofs, access road and hardstanding areas should discharge into Eller Brook, which flows from east to west to the north of the site in a culvert approximately three metres below the existing site levels. It is proposed that the surface water flow from the developed site is attenuated to 4 l/s. This proposal is accepted by the Lead Local Flood Authority (LLFA).
37. A number of concerns have been raised from residents occupying properties to the west of the site with regards to surface water drainage issues on their own land and the impact of the proposed development in relation to water draining off their land and onto the application site. It would appear that there are historic issues of waterlogging and the pooling of water on land the rear of dwellings facing Westhoughton Road. It is not considered that the proposed development would exacerbate the waterlogging issues experienced on the land and gardens to the west of the site and the proposed development cannot be required to address existing surface water run-off and waterlogging issues arising on land within separate ownership that is not associated with the application site.
38. Although it is noted that surface water may flow onto the application site from the land to the west the applicant has provided an indicative drainage strategy setting out that surface water will be directed into Eller Brook, and it is noted that the LLFA raise no objection to the proposed development.

### Ecology

39. The application site comprises extensive areas of hard standing and recently re-vegetated land following previous uses. There is little in the way of semi-natural habitat present and the potential of the site to support any specially protected species is low. The site may be used by more common species moving along the adjacent railway line or associated with nearby gardens, although this use is likely to be transient or for minor foraging activity.
40. It is not, therefore, considered that the site has substantive nature conservation importance and it is noted that Greater Manchester Ecology Unit do not object to the proposed development on nature conservation grounds.

### Public open space

41. The proposed development would generate a requirement for the provision of public open space in line with policies HS4a and HS4b of the Chorley Local Plan 2012 – 2026 and the Open Space and Playing Pitch SPD. The Councils agreed approach is to only seek contributions towards provision for children/young people on developments of 10 dwellings or fewer. There is currently a surplus of provision in Adlington in relation to this standard and the site is within the accessibility catchment (800m) of an area of provision for children/young people. A contribution towards new provision in the settlement is, therefore, not required from this development. However, there are areas of provision for children/young people within the accessibility catchment that are identified as being low quality and/or low value in the Open Space Study (site 1291.1 King George V Play Area). A contribution towards improvements to these sites is, therefore, required from this development. The amount required is £134 per dwelling.

### Community Infrastructure Levy

42. The Chorley CIL Infrastructure Charging Schedule provides a specific amount for development. The CIL Charging Schedule was adopted on 16 July 2013 and charging commenced on 1 September 2013. The proposed development will be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

#### Other matters

43. Impact on operational railway land: It is noted that Network Rail object to the layout of the proposed dwellings in relation to the less than 2m gap from the railway boundary. The development would, however, be contained within the parameters of the application site and would not encroach on any Network Rail owned land. Any impact on the operation of the railway is a civil matter for the developer and network rail to resolve. The guidelines provided by Network Rail are noted and shall be attached to any decision notice that may be issued following the grant of planning permission.
44. Inadequate local electricity supply to support more dwellings: It is for Electricity Northwest to respond to any electricity demand and supply issues in the locality and is not a material planning consideration.

#### **CONCLUSION**

45. The proposed development would have the benefit of providing new housing in a sustainable location, and would regenerate a previously developed site. The proposal would have no unacceptable detrimental impact on the amenity of neighbouring occupiers and would result in an overall improvement in the appearance of the site. In addition there would be no unacceptable impact on highway safety, drainage, or ecology. On the basis of the above, it is recommended that planning permission be granted.

#### **RELEVANT HISTORY OF THE SITE**

**Ref:** 75/00225/FUL **Decision:** REFFPP **Decision Date:** 12 May 1975  
**Description:** Motor vehicle repair workshop

**Ref:** 04/00224/TEL **Decision:** WDN **Decision Date:** 18 March 2004  
**Description:** Prior notification of siting of 15m lightweight lattice mast with 4 antennae, 2 600mm dishes, radio equipment housing and ancillary development,

**Ref:** 06/01409/OUT **Decision:** WDN **Decision Date:** 15 February 2007  
**Description:** Erection of 2 No. detached dwellings

**Ref:** 14/00907/NOT **Decision:** PERTEL **Decision Date:** 22 August 2014  
**Description:** Notification of intention to install network rail communications equipment

**RELEVANT POLICIES:** In accordance with s.38 (6) Planning and Compulsory Purchase Act (2004), the application is to be determined in accordance with the development plan (the Central Lancashire Core Strategy, the Adopted Chorley Local Plan 2012-2026 and adopted Supplementary Planning Guidance), unless material considerations indicate otherwise. Consideration of the proposal has had regard to guidance contained within the National Planning Policy Framework (the Framework) and the development plan. The specific policies/guidance considerations are contained within the body of the report.

#### Suggested conditions

To follow