

APPLICATION REPORT – 22/00912/REM

Validation Date: 24 August 2022

Ward: Chorley North East

Type of Application: Reserved Matters

Proposal: Reserved matters application for 6no. dwellings, detailing appearance, landscaping, layout and scale, pursuant to outline planning permission ref: 18/00367/OUTMAJ (Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved).

Location: Lucas Green Lucas Lane Whittle-Le-Woods Chorley PR6 7DA

Case Officer: Mike Halsall

Applicant: Mr Dave Fellows

Agent: Mr Louis Webb De Pol Associates Ltd

Consultation expiry: 25 December 2022

Decision due by: 10 March 2023 (Extension of time agreed)

RECOMMENDATION

1. It is recommended that reserved matters consent is granted subject to conditions.

SITE DESCRIPTION

2. The application site previously contained a single domestic dwellinghouse and garden, accessed off Lucas Lane, but has since been demolished. The site is situated within the settlement of Whittle-le-Woods, with the surrounding area being predominantly residential and identified for housing growth under policy 1 of the Central Lancashire Core Strategy.
3. Outline planning permission was granted in 2018 to demolish the existing dwelling and garage and to erect up to 10no. dwellings, with all matters except for access reserved. Access was approved from Lucas Lane at the southern end of the application site.
4. There is a separate application for planning permission, yet to be determined by the Local Planning Authority, relating to this site and additional land to the north east and south west for the demolition of the existing dwellinghouse and the erection of 9no. detached houses with double garages, including provision of passing places and additional lighting columns to Lucas Lane East, ref. 21/00900/FUL.

DESCRIPTION OF PROPOSED DEVELOPMENT

5. The application seeks reserved matters consent for the details associated with the above referenced outline planning permission, namely appearance, layout, scale, and landscaping. Whilst the outline planning permission is for up to 10no. dwellings, the reserved matters proposal is for the erection of 6no. detached dwellings, two of which would have integrated garages and four with detached garages.

REPRESENTATIONS

6. No representations have been received.

CONSULTATIONS

7. Greater Manchester Ecology Unit: Initially responded to request that the biodiversity enhancement measures identified in the ecological surveys at outline stage (bat boxes) be incorporated in the submitted landscaping plans. Following receipt of revised plans, GMEU responded with no objection to the proposal and requested the boxes be required to be installed as part of the proposal.
8. Lancashire County Council Highway Services (LCC Highway Services): Initially responded with no objection to the proposal but requested that the applicant consider making some changes to the proposal should the applicant wish the roads to be adopted by LCC. LCC Highway Services also recommended conditions be attached with regards to future management and maintenance of streets and for garages to be retained as such and not converted to living accommodation. The plans were subsequently amended to the satisfaction of LCC Highway Services.
9. Whittle-le-Woods Parish Council: Have responded with a conditional objection to the proposal to raise concerns regarding surface water drainage, stating there are already issues with the amount of surface water being drained into Lucas Lane from the developments around this area. They also note that there may be a need to provide passing points on Lucas Lane, which will in effect widen the Lane, the Lane is a green Lane and is very popular with walkers. It is also noted that the nearby Sycamore Manor development will include a footpath opening onto Lucas Lane further adding to the footfall on this Lane.
10. Council's Tree Officer: Have stated that it is proposed to remove nine trees and two groups of trees, some of which are good quality and provide a moderate level of visual amenity. They have requested adherence to tree protection measures outlined in BS5837:2012 is ensured during construction work and note that landscaping of gardens may impact on tree health.
11. Lead Local Flood Authority: Have responded with no comments as the proposal is not a major development.
12. United Utilities: No comments have been received.

PLANNING CONSIDERATIONS

Principle of the development

13. The acceptability of the principle of the development has been established by the grant of outline planning permission for development on the site.

Impact on character and appearance of locality

14. The National Planning Policy Framework (the Framework) attaches considerable importance on achieving good design and a high-quality built environment. It states that planning policies and decisions should respond to local character and history and seek to reinforce local distinctiveness. The importance of high-quality design is reflected in the Central Lancashire Core Strategy (policy 17) and the Chorley Local Plan (policy BNE1). It is considered that detached dwellings of the design proposed on this plot would be appropriate to the character of the area.
15. A wide range of dwelling types and design styles exist in the area. The proposed detached dwellings are of a modern design and appearance with some interesting features. The materials palette consists of mainly brick elevations, slate/tile roofs with stone windowsills

and heads. The final choice of materials would be agreed through a suitably worded planning condition.

16. With regard to the density of the development, the application proposes a low-density development of 6no. relatively large detached dwellings. It is considered that the proposed density is not significantly different to other development in the area, particularly the Redrow housing development to the north and the one currently under construction to the east of the site, and is not considered to render the scheme unacceptable.
17. It is considered that the 6no. detached properties in this location would assimilate with the built form of the area. The proposal is considered to be acceptable in terms of character and appearance and complies with policy BNE1 of the Chorley Local Plan 2012 – 2026 in this regard.

Neighbour amenity

18. Policy BNE1 of the Chorley Local Plan 2012 - 2026 states that new development must not cause harm to any neighbouring property by virtue of overlooking, overshadowing, or by creating an overbearing impact.
19. It is noted there has been no neighbour objections to the proposal and all separation distances between existing and proposed dwellings meets the Council's minimum interface distances. There would, therefore, be no unacceptable impact on light, outlook or privacy for the occupiers of surrounding dwellings as a result of the proposal.
20. The proposed dwellings have been designed in such a way to be compatible with each other without creating an amenity impact of adjacent plots. There would be an adequate degree of screening around the plots.
21. In light of the above, it is considered that the proposal would be acceptable in terms of amenity impacts and accords with policy BNE1 of the Chorley Local Plan 2012 – 2026 in this regard.

Highway safety

22. The proposed site access from Lucas Lane has already been determined to be acceptable by the approval of the outline planning application which sought detailed consent for access. This included:
 - the access onto Lucas Lane being widened to provide a visibility splay to the east;
 - the provision of a 2-metre footpath to the west, connecting to the Public Right of Way (FP44);
 - 3no. passing places within the adopted highway of Lucas Lane which would increase the width of the single carriageway to 5.5 metres at various points; and
 - in order to prevent parking within the passing places and to inform motorists of their existence, a scheme of signage will be secured along with street lighting to improve safety.
23. Full off-site highway works as detailed above have been conditioned as part of the outline consent and would be subject to a s278 agreement with Lancashire County Council as the Highway Authority.
24. Adequate parking spaces are proposed to serve the development by way of garages and driveway space. This would ensure that the proposal complies with the Council's parking standard set out at policy ST4 of the Chorley Local Plan 2012 - 2026.
25. It is considered that the surrounding highway network could accommodate the uplift in traffic associated with the delivery of the dwellings and that the residual cumulative impacts on the road network would not be severe. It is also noted that LCC Highway Services have no objection to the proposed development subject to the imposition of conditions. The

internal street arrangement has been revised by the applicant to meet the requirements of LCC Highway Services, including widening the carriageway, and is considered to be acceptable.

Ecology and trees

26. Policy BNE9 (Biodiversity and Nature Conservation) of the Chorley Local Plan 2012 – 2026 stipulates that Biodiversity and Ecological Network resources will be protected, conserved, restored and enhanced; and that priority will be given to, among other things, protecting, safeguarding and enhancing habitats for European, nationally and locally important species.
27. The Greater Manchester Ecological Unit are satisfied with the proposed landscaping details, the implementation of which will be secured by planning condition. Whilst some existing trees would be lost as part of the proposal, the landscaping scheme identifies that adequate compensatory tree planting would be provided. The proposal is considered to comply with policy BNE9 of the Chorley Local Plan and is acceptable in terms of impacts upon ecology and trees.

Flood risk and drainage

28. Whittle-le-Woods Parish Council's conditional objection to the application partially in relation to flood risk is noted. Conditions nos.8 and 9 of the outline planning permission for this site read as follows:

8. Prior to the commencement of the development hereby approved, a surface water drainage scheme shall be submitted to, and approved in writing, by the Local Planning Authority. The scheme shall include the following details:

a) Information about the lifetime of the development design storm period and intensity (1 in 30 & 1 in 100 year + allowance for climate change - see EA advice Flood risk assessments: climate change allowances'), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance and easements where applicable, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters, including watercourses, and details of floor levels in AOD;

b) The drainage scheme shall demonstrate that the surface water run-off must not exceed the existing greenfield rate.

c) Flood water exceedance routes, both on and off site;

d) Site investigation and test results to confirm infiltrations rates;

e) Details of water quality controls

The approved scheme shall be implemented in accordance with the approved details before the development is completed and subsequently maintained thereafter.

Reason: To ensure satisfactory surface water drainage and to manage the risk of flooding and pollution.

9. No development (including site works) shall commence until details of how surface water and pollution prevention will be managed during the construction phase, have been submitted to and approved in writing by the Local Planning Authority. Any construction and site works shall be carried out in accordance with the approved details.

Reason: To manage the risk of flooding and pollution during the construction phase.

29. In light of the above, there is no need to consider the merits of the drainage aspects of the proposed development in any further detail as part of this application as they are adequately controlled by the above conditions. There is an application currently under consideration with the Local Planning Authority for the discharge of the above conditions upon which the Lead Local Flood Authority and United Utilities have been consulted.

Community Infrastructure Levy

30. 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 would be a chargeable development and the charge is subject to indexation in accordance with the Council's Charging Schedule.

CONCLUSION

31. The submitted details of reserved matters are considered to be acceptable and the application is recommended for approval.

RELEVANT HISTORY OF THE SITE

Ref: 18/00367/OUTMAJ **Decision:** PEROPP **Decision Date:** 26 September 2019
Description: Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved.

Ref: 21/00900/FUL **Decision:** PCO **Decision Date:** Pending
Description: Demolition of the existing dwellinghouse and the erection of 9no. detached houses with double garages, including provision of passing places and additional lighting columns to Lucas Lane East

Ref: 21/01152/TPO **Decision:** PERTRE **Decision Date:** 15 November 2021
Description: Application for works to a protected tree - Chorley BC TPO 7 (Whittle-le-Woods) 1995: T32 Oak - 50% reduction of 1no. limb encroaching onto the garden of 6 Harvest Drive

Ref: 22/00913/DIS **Decision:** PCO **Decision Date:** Pending
Description: Application to discharge conditions no.5 (dwelling emission rate), no.8 (surface water drainage scheme) and no.9 (surface water and pollution prevention) of outline planning permission 18/00367/OUTMAJ (Outline planning application for the means of access for up to 10no. residential dwellings, following the demolition of the existing dwelling and garage. All other matters reserved).

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

1. The proposed development must be begun not later than two 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 be carried out in accordance with the approved plans below:

Title	Plan Ref	Received On
Location Plan	19/106/L03	23 August 2022
Proposed Site Plan	19/106/P10 Rev C	3 November 2022
Landscape Proposals	6349.02 Rev C	3 November 2022

Tree Protection Plan	6345.05	23 August 2022
External Works Details -1.8m High Concrete Post & Panel Timber Party Fence	19/106/EW02	23 August 2022
External Works Details -1.8m High Featheredged Boarded Timber Fence	19/106/EW01	3 November 2022
House Type 4H2432 - Proposed Plans & Elevations	19/106/P04	23 August 2022
House Type 5H2381 - Proposed Plans & Elevations	19/106/P03	23 August 2022
House Type 5H2443 - Proposed Plans & Elevations	19/106/P02	23 August 2022
House Type 6H2380 - Proposed Plans & Elevations	19/106/P05	23 August 2022
House Type 6H3114 - Proposed Plans & Elevations	19/106/P06	23 August 2022
Proposed Street Scenes	19/106/P08 Rev A	23 August 2022
Proposed Double Garage	19-106-GD01	23 August 2022

Reason: For the avoidance of doubt and in the interests of proper planning.

3. Prior to their installation, samples or images of all external facing and roofing materials (notwithstanding any details shown on previously submitted plan(s) and specification) shall be submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved.

Reason: To ensure that the materials used are visually appropriate to the locality.

4. The development shall be carried out in accordance with the approved Dwelling Emission Rates, as submitted on 23 August 2022.

Reason: In accordance with planning condition no.5 of the outline consent.

5. The development shall be carried out in strict accordance with the approved Tree Protection Plan ref. 6349.05 and BS 5837 (2012).

Reason: To ensure retained trees are protected during site work.

6. All planting, seeding or turfing and bat boxes comprised in the approved details of landscaping ('Landscape Proposals' plan ref. 6349.02 Rev C and the Landscape Management Plan ref. JW/6349/LMP rev A) 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 earlier, 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. The proposal shall be carried out in full accordance with the approved details.

Reason: In the interest of the appearance of the locality.

7. No development shall be commenced until details of the proposed arrangements for future management and maintenance of the proposed streets within the development have been submitted to and approved by the Local Planning Authority. The streets shall thereafter be maintained in accordance with the approved management and maintenance details until such time as an agreement has been entered into under Section 38 of the Highways Act 1980 or a private management and Maintenance Company has been established.

Reason: To ensure the ongoing management and maintenance of streets.

8. Notwithstanding the provisions of the Town and Country Planning (General Development Procedure) Order 1995 and the Town and Country Planning (General Permitted Development) (Amendment) (No 2) (England) Order 2008, or any subsequent Orders or statutory provision re-

enacting the provisions of these Orders, all garages shown on the approved plan shall be maintained as such and shall not be converted to or used for living accommodation without the prior written approval of the Local Planning Authority in consultation with the Highway Authority.

Reason: To allow for the effective use of the parking areas.

9. Prior to their installation, full details of the colour, form and texture of all hard landscaping (ground surfacing materials) (notwithstanding any such detail shown on previously submitted plans and specification) shall have been submitted to and approved in writing by the Local Planning Authority. All works shall be undertaken strictly in accordance with the details as approved, and shall be completed in all respects before the final completion of the development and thereafter retained.

Reason: To ensure a satisfactory form of development in the interest of the visual amenity of the area.