

Application Number 07/2016/0284/FUL

Address
 Holmfirth
 43 Brindle Road
 Bamber Bridge
 Preston
 PR5 6RP

Applicant Mr & Mrs Phil and Rachel Tomlinson

Agent
 Chris Weetman
 1 Reeveswood
 Eccleston
 Chorley
 PR7 5RS

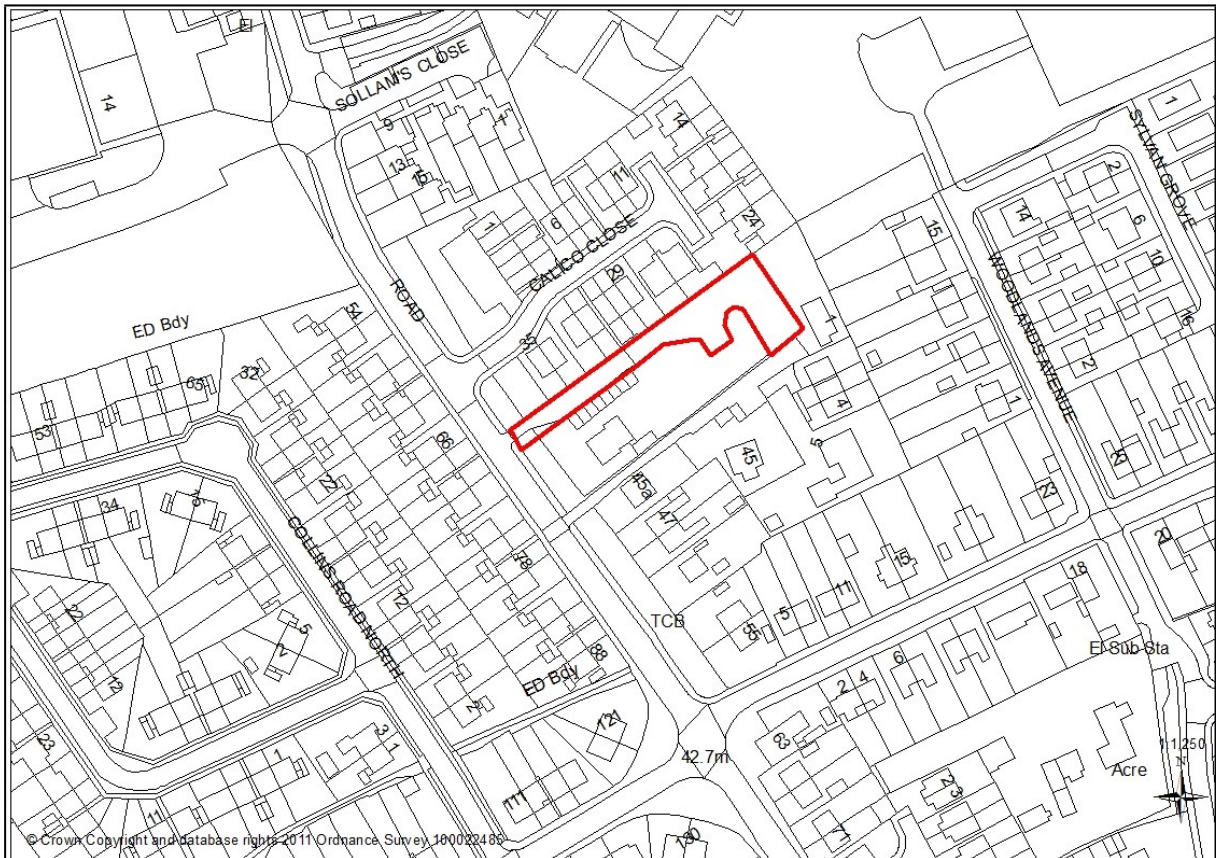
Development Substitution of house type for plot 5 of planning permission 07/2015/1692/FUL

Officer Recommendation **Approve with conditions.**

Date application valid 20.04.2016

Target Determination Date 15.06.2016

Extension of Time 29.07.2016



1. Report Summary

1.1. The size and nature of this application would normally fall for consideration under the scheme of delegation but as the planning committee determined the previous applications on this site, this application is now before you.

1.2. The plot forms part of a larger site which received planning permission in February 2016 for five residential dwellings. The application is in full and relates to the substitution of Plot 5 with a different design. An assessment has been

carried out of the proposed development upon the existing residential properties and highway impact.

- 1.3. When planning permission was previously granted it was acknowledged that the size of the houses were large in comparison to the plot sizes. In particular revisions were requested to Plot 5 to reduce the roof height and alter the design to minimize the impact on the amenities of the adjacent residential property. The scheme was considered acceptable and permission was approved.
- 1.4. The current application was initially recommended for refusal due to an increase in the height of the dwelling and impact upon residential amenity. Revised plans have now been received which have reduced the roof height to previously approved and some changes to the design which are considered acceptable.
- 1.5. An assessment has been carried out of the proposed developments' impact on existing residential properties, adjacent properties and the highway impact. Following receipt of revised plans the layout and design is considered acceptable. The application is therefore recommended for approval subject to conditions controlling time limits, ground contamination, construction management plan, sustainable drainage, restriction of permitted development rights, obscure glazing, materials, sustainable homes, and the restriction of permitted development rights.

2. Site and Surrounding Area

- 2.1. The application site relates to Plot 5 of planning permission 07/2015/1692. The plot forms part of a larger site which received planning permission in February 2016 for five residential dwellings. Immediately adjacent to the site's northern boundary is the former Lancashire County Council site which has recently been developed for housing. Along Brindle Road to the north is Walton le Dale High School with the Old Mill industrial estate opposite. However, the immediate locality is residential in nature. Access is taken from Brindle Road and the site is approximately 1km north east of Bamber Bridge train station. The highway known as Wynfield forms the southern boundary which serves a number of residential properties.
- 2.2. Plot 5 would be located on the eastern boundary and would abut the garden area of 1 Wynfield.

3. Planning History

07/1980/0611	Erection of 12 Flats Approved 17/12/1980
07/1989/0870	Development of 5 detached bungalows and one detached garage Refused 22/11/1989
07/1990/0325	Erection of 3 Detached Houses Approved 04/07/1990
07/2009/0498/OUT	Outline application for the erection of 3 no. detached dwelling houses with associated access Approved 21/10/2009
07/2012/0420/REN	Renewal of planning permission 07/2009/0498, outline application for erection of 3 dwelling houses with associated access Approved 11/09/2012
07/2014/0686/OUT	Outline application for residential development following demolition of existing dwelling and garages (access only applied for) (Amended Plan).
07/2015/1692/FUL	Erection of five detached dwellings, garages with associated access following demolition of existing garages. Approved 26.02.2016.
07/2016/0279/FUL	Substitution of house types for plot 3 and 4 of planning permission Ref 07/2015/1692/FUL. Approved 16 June 2016
07/2016/0340/FUL	Substitution of house types for plot 2 of planning permission Ref 07/2015/1692/FUL. Approved 16 June 2016.

4. **Proposal**

- 4.1. Full planning permission is sought for the substitution of house type for plot 5 of planning permission 07/2015/1692/FUL. The plans submitted provided for a three bed dwelling measuring 14.5m (wide) x 8.9m (depth) with a maximum height to the ridge of the roof of 8m. However, the applicant has submitted revised these plans which now provide for a dwelling measuring 14.5m (width) x 9.9m (depth) with a maximum height to the ridge of the roof of 6m.
- 4.2. All the site boundaries would remain as existing which is predominately 2m high timber fencing.

5. **Summary of Publicity**

- 5.1. Three site notices were posted and 34 neighbouring properties were notified, no representations have been received. Further consultation took place with regard to the revised plans but no representations have been received.

6. **Summary of Consultations**

- 6.1 Lancashire County Council (Highways)- No objection subject to conditions controlling wheel cleaning facilities, off site highway works, and advisory notes relating to the modification of the site access, costs associated with removal of street light and telegraph pole to be met by the developer and that the road would remain private as the development is not to an adoptable standard.
- 6.2 United Utilities –No comments received.
- 6.3 Environmental Health - The development has the potential to adversely affect the adjacent residents. Conditions controlling construction management details, land contamination, and electric vehicular points are recommended.
- 6.4 Arboriculturist – No objections.
- 6.5 Ecology Services –The site has previously been identified as having low ecological value. The amended house types will not make any significant difference to the ecological impacts of the development. The original comments still stand which advised that the updated ecological survey has confirmed the findings from the ecological report submitted with the outline application in 2014. The only additional issue raised is the impact of street lighting on foraging bats. As part of best practice a condition controlling the lighting to be low level is recommended.

7. **Policy Background**

7.1 **National Planning Policy Framework**

The Framework is a material consideration to which weight needs to be attached. The NPPF promotes a presumption in favour of sustainable development and supports sustainable economic development to deliver amongst other things, homes. Given the sites location and land allocation it is the officer's view that the site is within a sustainable location and that the development accords with the general principles of the Framework.

Section 6: Delivering a wide choice of high quality homes
Section 7: Requiring good design are particularly relevant.

7.2 **Core Strategy Policy Considerations**

Policy 1: Locating Growth focuses growth and investment on brownfield sites in the main urban areas, whilst protecting the character of suburban areas.

Policy 4: Housing Delivery seeks to ensure that sufficient housing land is identified over the 2010-2026 period.

Policy 5: Housing Density seeks to secure housing densities which are in keeping with the local areas and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of an area.

Policy 6: Housing Quality seeks to improve the quality of housing by facilitating the greater provision of accessible housing and neighbourhoods and use of higher standards of construction.

Policy 17: Design of New Buildings expects the design and new buildings to take account of the character and appearance of the local area and effectively mirrors criterion in Local Plan policy G17.

Policy 22: Biodiversity and Geodiversity aims to conserve, protect and seek opportunities to enhance and manage the biological and geological assets of the area.

Policy 26: Crime and Community Safety encourages the inclusion of Secured by Design principles in new development.

Policy 27: Sustainable Resources and New Developments requires new development to meet Level 4 of the Code for Sustainable Homes.

Policy 29: Water Management encourages the adoption of Sustainable Drainage Systems.

7.3 South Ribble Local Plan

The application site is within the Existing Built-Up Area of Bamber Bridge where **Policy B1** in the South Ribble Local Plan 2012-2026 permits proposals for the re-use of undeveloped and unused land and buildings or for redevelopment providing that the proposals comply with the requirements for access, parking and servicing; is in keeping with the character and appearance of the area; and will not adversely affect the amenities of nearby residents.

Policy G13: Trees, Woodlands and Development has a presumption in favour of the retention and enhancement of existing trees, woodland and hedgerow cover on site.

Policy G14 Contaminated Land recognises the presumption in favour of the redevelopment of previously developed land which can be the subject of contamination.

Policy G16: Biodiversity & Nature Conservation seeks to protect, conserve and enhance the borough's biodiversity and ecological network resources. In terms of design, **Policy G17** seeks to ensure new development does not have a detrimental impact on existing buildings or the street scene; does not prejudice highway safety, pedestrian safety or the free flow of traffic and provides the required number of off street parking space to the standards set out in **Policy F1**.

8. Other Material Considerations

8.1. Principle of development

The principle of residential development of this site has long been established with previous planning approvals dating back to 1980. The most recent permission

provides for five detached dwellings. Therefore, it is considered that the principle of residential development of this site has been established.

8.2. Suitability of Access

Brindle Road is an unclassified road serving a predominately residential area with a speed limit of 30mph fronting the site access. There is an existing access which would serve the two dwellings. Previously LCC Highways has advised that the proposed internal highway layout is not to an adoptable standard as a service verge of at least 1.8m to the front of all dwellings would need to be added to bring it up to an adoptable standard and due to the location of Plot 1 this is not feasible. Therefore, in its current form the highway would remain private. Subject to conditions controlling the following aspects: wheel cleaning and off site highway works the development is considered acceptable.

8.3. Parking Arrangements

The car parking standards require a minimum of three spaces for dwellings with three or more bedrooms. The applicant has provided three spaces and County Highways has raised no objection to the scheme.

8.4. Relationship to Neighbours

8.4.1 An assessment of the application site and the relationship to the existing residential properties has been undertaken. The changes relate to revisions to the layout and design to meet the need of the owners.

8.4.2 Plot 5 was granted planning permission in February 2016 as part of a wider scheme. As part of that application reservations were initially raised with the applicant about the design and height of the proposed two storey dwelling and the impact on the residential amenities of no.1 Wynfield.

8.4.2 Due to the close proximity of the rear boundary with no.1 Wynfield revised plans were received which reduced the height of the dwelling from 8m to 6m and demonstrated the rear elevation had been re-designed to ensure that there were no first floor windows overlooking in to the rear garden of no.1 Wynfield. Further, the design of the rear elevation demonstrated a stepped single storey pitched roof measuring from 4.5m to 6m.

8.4.3 As part of the previous approval it was acknowledged that the plot sizes were small for the size of dwellings, however, the National Planning Policy Framework at paragraph 60 makes clear that:

Paragraph 60:

Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.

On balance therefore the development was considered fit for purpose and the plans were approved.

8.4.4 Initially, the submitted plans of this current application sought to revise the design to provide for an increase in height of the approved roof from 6m to 8m. The proposal would provide for a three bed dwelling measuring 14.5m (wide) x 8.9m (depth) with a maximum height to the ridge of the roof of 8m. The increase of 2m from the approved height of 6m to 8m was considered unacceptable due to the impact in terms of massing on no.1 Wynfield.

8.4.5 The approved plan demonstrated a stepped approach to the design of the roof whereby for approximately 5.5m of the length of the rear elevation, the height would be to a maximum of 4.5 m whilst the final 8 m of the rear elevation would be 6m in height. There were no windows at first floor on the side elevation that abutted the housing on Calico Crescent. The plans under assessment, provide for the whole rear elevation measuring 14.9m to be 6.0m in height and includes windows at first floor level to the side elevations. Five small rear velux lights would be located on the rear boundary. These would be set back set back 1.8m above first floor level to provide privacy to the property known as 1 Wynfield. It is considered that the proposal provides a balance between the competing demands of extra accommodation together with protecting the amenities of the adjacent residential properties.

8.4.9 The recent housing located on Calico Crescent are mixed properties including houses and flats. There is a small area of amenity space associated with plots 23 and 25 which abuts the boundary with the proposed dwelling. The proposed dwelling would be located approximately 1m from this boundary and would include a window at first floor level. The applicant has advised that they would be prepared to accept a condition for obscure glazing. It is considered that obscure glazing or a stained glass window would reduce any potential overlooking and a condition controlling this aspect is proposed.

8.4.10 It is considered that the proposal provides a balance between the competing demands of extra accommodation together with protecting the amenities of the adjacent residential properties. Conditions restricting the permitted development rights and obscure glazing to the first floor side window adjacent to Calico Crescent are recommended.

8.5 Impact on Character of Area

The area is predominantly residential in nature with a mix of styles. Sheltered accommodation lies to the north of the site beyond the most recently constructed affordable housing known as Calico Close. There is also a high school and industrial estate within the locality and as such there is no overriding character to the area. Plot 5 would be sited to the rear of the site with a separation distance of 70m from the access with Brindle Road and therefore would not be widely visible when viewed in the street scene of Brindle Road.

8.6 Design and Appearance (Materials).

The applicant has advised that the walls of the property would be constructed of facing brick and concrete tiles using the same brick and tiles as the other four properties on the site. The dormers would be clad with dark grey cladding to match the main roof tiles and reduce the impact of them. These details are considered acceptable. There is very little detail in terms of the design, height and type of fencing to the front of the property but such aspects could be controlled by condition.

8.7 Ecology

The applicant submitted a revised Ecological Survey as part of planning permission ref 2015/1692. Ecology Services has advised that the updated report confirms the findings of the survey submitted with a previous outline application in 2014. Due to the presence of bats within the area any scheme for street lighting should as part of good practice designed to be of low impact. As the application does not include street lighting this aspect would be considered with any future application for street lighting.

Since the previous Ecological Report in 2014, the site has largely been cleared. However, the following aspects; protection of nesting birds, can be controlled by the

imposition of conditions or informative notes. Therefore, the proposal meets the aims of Policy G16 Biodiversity and nature conservation.

8.8 Drainage and Ground Levels

United Utilities has previously commented that, in accordance with the National Planning Policy Framework and Building Regulations, the site should be drained on separate systems with foul water draining to the public sewer and surface water draining in the most sustainable way. To reduce the volume of surface water draining from the site UU also promote the use of permeable paving on all driveways and other hard-standing areas including footpaths and parking areas. With regard to this application such aspects could be controlled by condition and the proposal meets the aims of Policy 29 Water Management of the Core Strategy.

8.9 Other matters

Community Infrastructure Levy (CIL)

The applicant has submitted a self-build exemption form and as such CIL would not be liable.

9. CONCLUSION

9.1 When planning permission was previously granted it was acknowledged that the size of the houses were large in comparison to the plot sizes. In particular revisions were requested to Plot 5 to reduce the roof height and alter the design to minimize the impact on the amenities of the adjacent residential property. The scheme was considered acceptable and permission was approved.

9.2 The applicant has submitted revised plans that are now considered acceptable. The application is therefore recommended for approval subject to conditions controlling time limits, ground contamination, construction management plan, sustainable drainage, restriction of permitted development rights, obscure glazing, materials, sustainable homes, and the restriction of permitted development rights.

9.3 Therefore the application is recommended for approval.

10. RECOMMENDATION:

Approve with conditions.

RECOMMENDED CONDITIONS:

1. The development hereby permitted must be begun not later than the expiration of three years beginning with the date of this permission.
REASON: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990.
2. The development hereby permitted shall be carried out in accordance with the approved plans:
Drawing Number 1625/05A entitled Location Plans
Drawing Number: 1625/801/B entitled Proposed Elevations
Drawing Number: 1625/802A entitled Proposed Ground Floor Layout
Drawing Number: 1625/803A entitled Proposed First Floor Layout
REASON: For the avoidance of doubt and to ensure a satisfactory standard of development.
3. No development shall take place, including any works of demolition, until a suitable Construction Nuisance Prevention Plan has been submitted to, and approved in writing by,

the local planning authority. The approved Plan shall be adhered to throughout the construction period. The Plan shall provide for:

- I. the proposed suitable times construction works will take place
- II. the parking of vehicles of site operatives and visitors
- III. loading and unloading of plant and materials storage of plant and materials used in constructing the development
- IV. the location of the site compound
- V. suitable wheel washing/road sweeping measures
- VI. appropriate measures to control the emission of dust and dirt during construction
- VII. appropriate measures to control the emission of noise during construction
- VIII. details of all external lighting to be used during the construction
- IX. a scheme for recycling/disposing of waste resulting from demolition and construction works

REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy

4. Prior to the commencement of development, the following information shall be submitted to the Local Planning Authority (LPA) for approval in writing:
 - (a) A desk study which assesses the risk of the potential for on-site contamination and ground gases and migration of both on and off-site contamination and ground gases.
 - (b) If the desk study identifies potential contamination and ground gases, a detailed site investigation shall be carried out to address the nature, degree and distribution of contamination and ground gases and shall include an identification and assessment of the risk to receptors as defined under the Environmental Protection Act 1990, Part 2A, focusing primarily on risks to human health and controlled waters. The investigation shall also address the implications of the health and safety of site workers, of nearby occupied buildings, on services and landscaping schemes, and on wider environmental receptors including ecological systems and property.

The sampling and analytical strategy shall be submitted to and be approved in writing by the LPA prior to the start of the site investigation survey.
 - (c) A remediation statement, detailing the recommendations and remedial measures to be implemented within the site.
 - (d) On completion of the development/remedial works, the developer shall submit written confirmation, in the form of a verification report, to the LPA, that all works were completed in accordance with the agreed Remediation Statement.

Any works identified in these reports shall be undertaken when required with all remedial works implemented by the developer prior to occupation of the first and subsequent dwellings.

REASON: To ensure that:

- the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, and
- the site cannot be capable of being determined as contaminated land under Part 2A of the Environmental Protection Act 1990,

5. No part of the development shall be commenced until all the highway works within the adopted highway have been constructed in accordance with a scheme that shall be submitted to and approved by the Local Planning Authority in consultation with the Highway Authority as part of a section 278 agreement, under the Highways Act 1980.

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 on site and to enable all construction traffic to enter and leave the premises in a safe manner without causing a hazard to other road users.

6. Prior to first occupation of the dwelling hereby approved, one Electric Vehicle Recharge point shall be provided integral to the curtilage of the property.

REASON: To enable and encourage the use of alternative fuel use for transport purposes in accordance with Policy 3 of the Central Lancashire Core Strategy

7. Prior to the commencement of any development, details of the foul drainage scheme shall be submitted to and approved in writing by the Local Planning Authority. Foul water shall

be drained on a separate system. No building shall be occupied until the approved foul drainage scheme has been completed to serve that buildings, in accordance with the approved details.

REASON: For the avoidance of doubt and to protect the living conditions of future occupants of the site in accordance with Policy 29 in the Central Lancashire Core Strategy

8. Prior to the commencement of any development, a surface water drainage scheme based upon the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of site conditions (inclusive of how the scheme shall be managed after completion) shall be submitted to and approved in writing by the Local Planning Authority.

The surface water drainage scheme must be in accordance with the Non-Statutory Technical Standards for sustainable Drainage Systems (March 2015) or any subsequent replacement national standards and unless otherwise agreed in writing by the Local Planning Authority, no surface water shall discharge to the public sewerage system either directly or indirectly.

The development shall be completed, maintained and managed in accordance with the approved details.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

9. That any tree felling, vegetation clearance works, demolition work or other works that may affect nesting birds shall not take place during the nesting season, normally between March and August, unless the absence of nesting birds has been confirmed by further surveys or inspections and written approval has been given from the Local Planning Authority.

REASON: To protect habitats of wildlife in accordance with Policy 22 of the Central Lancashire Core Strategy.

10. No development shall commence until satisfactory details of the colour and texture of the facing and roofing materials together with the boundary treatment, driveways and internal access road to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON: To ensure the satisfactory detailed appearance of the development in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2015

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking or re-enacting that Order) no development of the type described in Classes A to G Part 1 of Schedule 2 of that Order shall be undertaken without the express permission of the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over future development in the interest of residential amenity and the character and appearance of the area in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

12. All new dwellings are required to achieve a minimum Dwelling Emission Rate of 19% above 2013 Building Regulations.

REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reduction as part of new residential schemes in the interests of minimising the environmental impact of the development.

13. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that the dwellings will meet the required Dwelling Emission Rate. The development thereafter shall be completed in accordance with the approved details.

REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development. This needs to be provided prior to the commencement so it can be assured that the design meets the required dwelling emission rate.

14. No dwelling hereby approved shall be occupied until a SAP assessment (Standard Assessment Procedure), or other alternative proof of compliance (which has been previously agreed in writing by the Local Planning Authority) such as an Energy Performance Certificate, has been submitted to and approved in writing by the Local Planning Authority demonstrating that the dwelling has achieved the required Dwelling Emission Rate.

REASON: Policy 27 of the Central Lancashire Core Strategy requires new dwellings to be built to Code for Sustainable Homes Level 4. However, following the Deregulation Bill 2015 receiving Royal Assent it is no longer possible to set conditions with requirements above a Code Level 4 equivalent. As Policy 27 is an adopted Policy it is still possible to secure energy efficiency reductions as part of new residential schemes in the interests of minimising the environmental impact of the development.

15. The window to be fitted in the first floor of the elevation adjacent to Calico Crescent shall be fitted with obscured glazing and retained at all times thereafter.

REASON: To prevent undue overlooking and loss of privacy to the residents on Calico Crescent as required by the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026.

RELEVANT POLICY

NPPF National Planning Policy Framework

- 1 Locating Growth (Core Strategy Policy)
- 4 Housing Delivery (Core Strategy Policy)
- 5 Housing Density (Core Strategy Policy)
- 6 Housing Quality (Core Strategy Policy)
- 17 Design of New Buildings (Core Strategy Policy)
- 22 Biodiversity and Geodiversity (Core Strategy Policy)
- 26 Crime and Community Safety (Core Strategy Policy)
- 27 Sustainable Resources and New Developments (Core Strategy Policy)
- 28 Water Management (Core Strategy Policy)

POLB1	Existing Built-Up Areas
POLG13	Trees, Woodlands and Development
POLG14	Unstable or Contaminated Land
POLG16	Biodiversity and Nature Conservation
POLG17	Design Criteria for New Development
POLF1	Car Parking

Note:

The rear elevation has been designed to ensure that there are no first floor windows overlooking in to the garden area of 1 Wynfield. However, to provide for family accommodation the en-suite and family bathroom on this rear elevation would incorporate two velux roof lights.