

**Application Number** 07/2016/1090/FUL

**Address** Holmfirth  
43 Brindle Road  
Bamber Bridge  
Preston  
PR5 6RP

**Applicant** Mr & Mrs Fucile

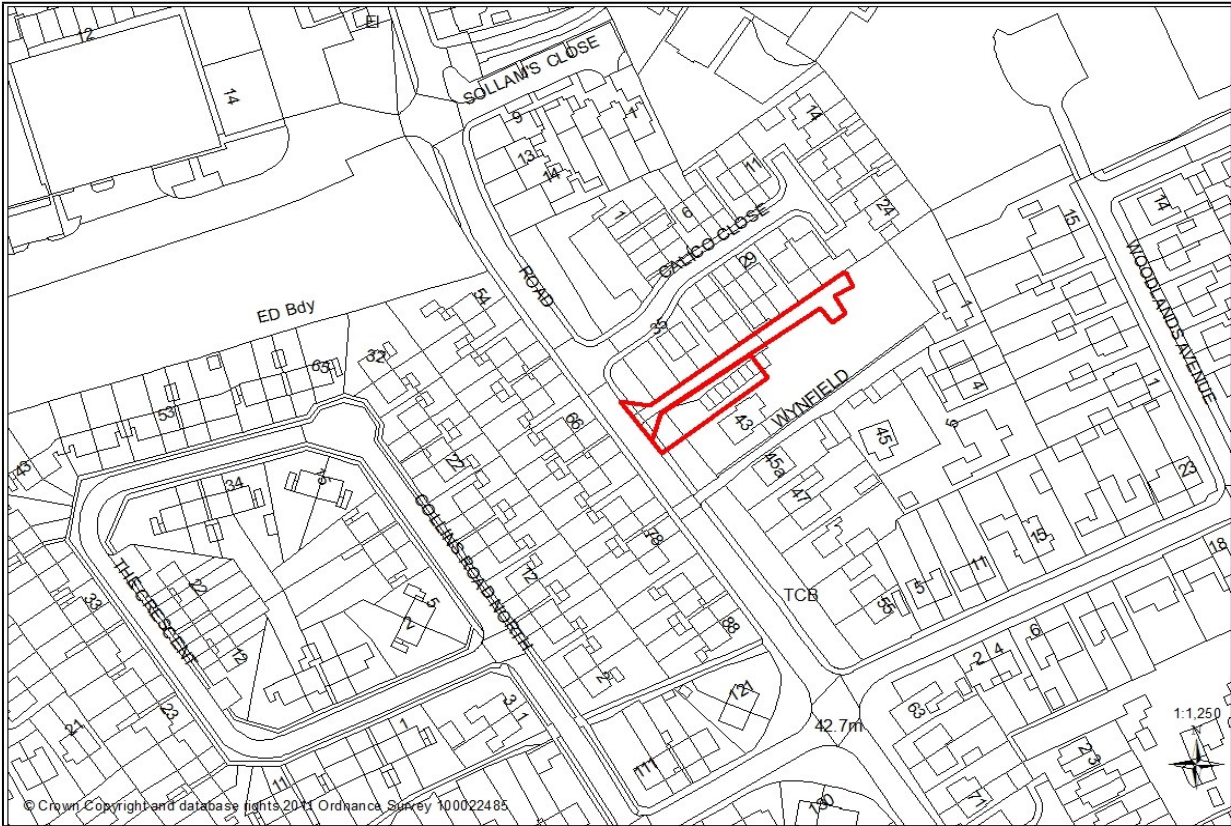
**Agent** Mr David Perry  
Extended Design Limited  
97 THE FARTHINGS  
ASTLEY VILLAGE  
CHORLEY  
PR7 1SH

**Development** Substitution of House types for plot 1 of planning permission 07/2015/1692/FUL

**Officer** C. Lewis

**Officer Recommendation** **Approval**

Date application valid 10.11.2016  
Target Determination Date 05.01.2017



**1.0 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 previous applications for this site this application is now before you.

1.2 The application is in full and relates to the substitution of plot 1 with a different design. An assessment has been carried out of the proposed development's impact upon on existing residential properties, adjacent properties highway impact and impact upon biodiversity. Subject to conditions controlling these aspects the development is considered acceptable.

## **2.0 Site and Surrounding Area**

2.1 The application site relates to Plot 1 of planning permission 07/2015/1692. The plot forms part of a larger site which received planning permission in February 2016 for five residential plots. 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.

## **3.0 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.

## **4.0 Proposal**

4.1 Full planning permission is sought for the substitution of house type for plot 1 of planning permission 07/2015/1692/FUL.

4.2 Plot 1 would provide for a four bed dwelling measuring 7.9m (wide) x 12.5m (depth) with a maximum height to the ridge of the roof of 7.6m. Constructed of Weinberger Hathway brindle brick with a feature soldier course the windows and doors to the front elevation would include Artstone lintels and cills. The roof would be constructed using grey marley modern tiles with red ridge /hip tiles. The design of the property incorporates an integral garage.

4.3 Access to the dwelling would be provided via an internal access road from the existing access from Brindle Road.

## **5.0 Summary of Publicity**

5.1 A site notice was posted and neighbouring properties were notified, and no representations have been received.

## **6.0 Summary of Consultations**

**Lancashire County Council (Highways)** No objections 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.

**United Utilities** –No comments received

**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.

## **7.0 Policy Background**

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.

### **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 17: Design of New Buildings** requires that new development takes account of the character and appearance of the local area.

**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.

### **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**

#### **Policy G16 Biodiversity and Nature Conservation**

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**.

### **8.0 Other Material Considerations**

#### **8.1 Principle of the development.**

8.1.1 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**

8.2.1 Brindle Road is an unclassified road serving a predominately residential area with a speed limit of 20mph 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**

8.3.1 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 minor alterations to the layout and design to meet the needs of the different owners.

8.4.2 Plot 1 would remain as a four bedroomed property but has incorporated some alterations which would provide for a fully hipped roof construction and an increase in ground floor space. The alteration to the roof design provides for a more balanced designed dwelling.

The proposed increase in length of 3.6m would provide for a single storey rear element.

8.4.3 Other revisions include a first floor window to a bathroom on the northern elevation. As this window would be 15m away from the properties known as 33, 34 and 35 Calico Crescent, a condition is recommended to ensure that the glazing is obscured.

8.4.4 It is considered that the proposed alterations are acceptable and would not unduly impact upon the residential amenities of the adjacent properties. Given the size of the

dwelling within the plot a condition controlling the removal of the permitted development rights is recommended.

8.4.5 The Government encourages the delivery of a wide choice of high quality homes and although these properties would be large dwellings on small plots the applicant has previously advised that he has prospective purchasers for them. On balance it is considered that the design and layout of the dwellings are fit for purpose, subject to a condition restricting permitted rights and controlling obscure glazing to the windows on the northern elevation in order to protect the adjacent residential amenities.

## **8.5 Impact on Character of Area**

8.5.1 Plot 1 would be located adjacent to the 43 Brindle Road and would be visible within the street scene. 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.

## **8.6 Design and Appearance**

8.6.1 The applicant has advised that the walls would be constructed of facing brick with grey concrete tiles to the roof. Other details include reconstituted stone cills and heads to the openings on the front elevation. Whilst it is acknowledged that the plot sizes are small for the size of dwellings, the development is considered acceptable. On balance therefore the development is fit for purpose. Conditions controlling materials and the construction process to protect the amenities of adjacent residential properties are recommended.

## **8.7 Drainage and Ground Levels**

8.7.1 Previously United Utilities 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. Although United Utilities has not formally responded to this consultation, it is considered that subject to conditions controlling these aspects the proposal meets the aims of Policy 29 Water Management of the Core Strategy. Due to close proximity of existing residential properties a condition controlling the height of the slab levels of the development is recommended.

## **8.8 Community Infrastructure Levy (CIL).**

8.8.1 The applicant has submitted a self-build exemption form and as such CIL would not be liable. A note should be attached to this effect to the Decision Notice.

## **9.0 CONCLUSION**

9.1. The principle of development of this site for resident development has been long established. Although the internal access road would not be constructed to adoptable standards, the proposed site access is considered acceptable by County Highways and therefore the proposed development is considered to be in accordance with planning policy. Subject to conditions controlling commencement, time limits, ground contamination, construction management plan, sustainable drainage, obscure glazing, materials, electric charging point, sustainable homes, and the restriction of permitted development rights, the development would not have a detrimental impact on neighbouring properties or the character and appearance of the area. The application meets the policies of the National Planning Policy Framework and the Development Plan.

9.2. The application is therefore recommended for approval subject to the imposition of conditions.

**RECOMMENDATION:**

Approval.

**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 1625/01 entitled "Location Plans"  
Drawing Number 1625/1001 entitled "Proposed Elevations"  
Drawing Number 1625/1002 entitled "Proposed Ground Floor Layout"  
Drawing Number 1625/1003 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
  - IV. storage of plant and materials used in constructing the development
  - V. the location of the site compound
  - VI. suitable wheel washing/road sweeping measures
  - VII. appropriate measures to control the emission of dust and dirt during construction
  - VIII. appropriate measures to control the emission of noise during construction
  - IX. details of all external lighting to be used during the construction
  - X. a scheme for recycling/disposing of waste resulting from demolition and construction worksREASON: To ensure the amenities of neighbouring residents are safeguarded prior to the commencement 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 prior to the commencement of development 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, in accordance with:

- Policy 17 of the Central Lancashire Development Plan, - the National Planning Policy Framework.

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 the first occupation of any dwelling, that dwelling shall be provided with an electric vehicle charging point which shall be retained for that purpose thereafter.

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 ensure the living conditions of future occupants of the site are protected prior to the commencement of development in accordance with Policy 29 in the Central Lancashire Core Strategy

8. Prior to commencement of any development, a surface water drainage scheme, based on the hierarchy of drainage options in the National Planning Practice Guidance with evidence of an assessment of the site conditions 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 sewer 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, prior to the commencement of development in accordance with Policy 29 in the Central Lancashire Core Strategy

9. No work shall be commenced 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 by the Local Planning Authority.

REASON: To ensure the satisfactory detailed appearance of the development prior to its commencement in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

10. 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
11. 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.
12. Prior to the commencement of the development details shall be submitted to and approved in writing by the Local Planning Authority demonstrating that each dwelling 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 is can be assured that the design meets the required dwelling emission rate.
13. 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.
14. The window to be fitted in the first floor of the Left Hand Elevation shown on Drawing Number 1625/1001 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)**
- 27 Sustainable Resources and New Developments (Core Strategy Policy)**
- 29 Water Management (Core Strategy Policy)**
- POLB1 Existing Built-Up Areas**
- POLG14 Unstable or Contaminated Land**  
**Biodiversity and Nature**
- POLG16 Conservation**

### **Note:**

1. The alterations to the access and existing highway as part of the new works may require changes to existing street lighting and telegraph poles at the expense of the client/developer.

2. The applicant is advised that the modified site access, will need to be constructed under a section 278 agreement of the 1980 Highways Act. The Highway Authority hereby reserves the right to provide the highway works within the highway associated with this proposal. Provision of the highway works includes design, procurement of the work by contract and supervision of the works. The applicant is advised to contact Lancashire County Council before works begin on site. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "278 agreement".

3. The highway is not to an adoptable layout and will remain private. It is advised the carriageway construction is based on the Lancashire County Council Specification for estate roads 2011edition. Further information and advice can be found at [www.lancashire.gov.uk](http://www.lancashire.gov.uk) and search for "construction of estate roads".

CIL Liable

4. You are advised that as of 1st September 2013, the Central Lancashire Community Infrastructure Levy (CIL) Charging Schedule came into effect. CIL applies to all applicable planning permissions granted on or after this date. The proposed development has been assessed and it is the Council's view that it is CIL LIABLE. Full details are available on the Council's website <http://www.southribble.gov.uk/content/community-infrastructure-levy>