

Application Number 07/2017/0882/VAR

Address Collinwood Farm
Ratten Lane
Hutton
Preston
Lancashire
PR4 5TE

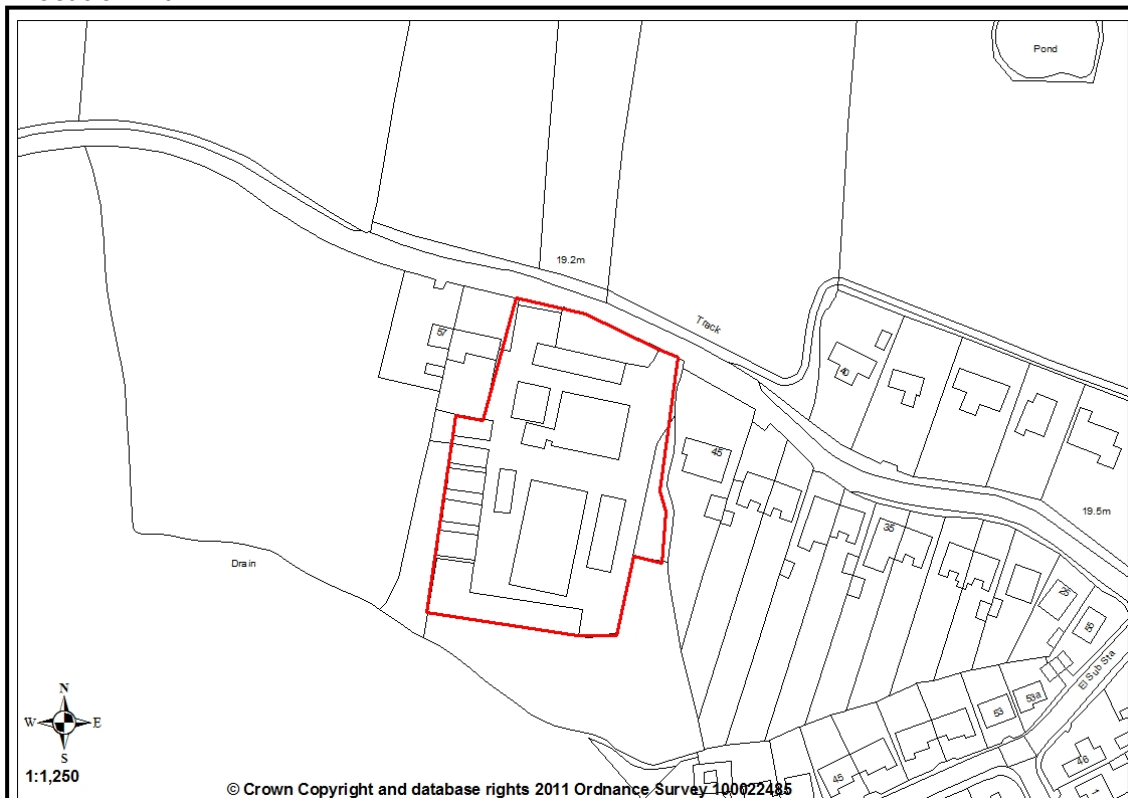
Applicant Pringle Homes

Agent Tony Lawson
LMP Ltd
213 Preston Road
Whittle-le-Woods
Chorley
PR6 7PS

Development Application for the variation of condition 2 of planning approval 07/2015/1746/FUL - amendments to elevations, materials, plot numbers and the introduction of railings and gates to the site access. (Amended Description)

Officer Recommendation That Members be minded to approve the application with the decision being delegated to the Chairman of Planning Committee in association with the Planning Manager upon the successful completion of a Deed of Variation to the Section 106 Agreement to secure a scheme for the provision of on-site public open space, maintenance of the roads, sewers and street lighting on the site, and a commuted sum in lieu of on-site affordable housing.

Officer Name Mrs Janice Crook
Date application valid 29.03.2017
Target Determination Date 28.06.2017
Extension of Time N/A
Location Plan



1. Report Summary

1.1 The application proposes minor material amendments to planning approval 07/2015/1746/FUL in respect of condition 2. Condition 2 required that the development be carried out in accordance with the approved plans which were listed by reference and title. These plans are now to be amended due to a number of minor amendments to housetypes, materials, plot numbers and the introduction of railings and gates to the site access. An assessment of the amendments has been carried out and it is officer's view that they are acceptable and the application is therefore recommended for approval subject to the re-imposition of condition originally imposed with the relevant amendments to condition 2 and subject to a Deed of Variation to the Section 106 Agreement to reflect this new permission.

2. Site and Surrounding Area

2.1 The application site is located to the south of Ratten Lane, immediately adjacent to the existing settlement of Hutton and is accessible from the A59 to Preston. To the east and south-east are residential properties along Ratten Lane and Fensway, to the west are 2 residential properties and to the north and south is open Green Belt land.

2.2 The site itself consisted of a number of former chicken sheds which were subsequently occupied by a variety of different local businesses for storage of goods and materials on site and was within the B8 Use Class. The site was also dominated by large areas of hard standing.

3. Planning History

3.1 There are number of planning permission relating to the previous use of the site as a poultry farm. Application which are considered relevant to this current application are:

3.2 07/2014/0674/OUT - Outline application for the erection of 13 dwellings following demolition of former agricultural buildings (access, layout and scale applied for) - Approved 11.03.2015

3.3 07/2015/1746/FUL – Full planning application for the erection of 11 detached dwellings with associated garages, new access road and infrastructure following demolition of the existing buildings – Approved 21.04.2016

4. Proposal

4.1 The application 07/2015/1746/FUL was for full planning permission for the erection of 11 detached dwelling with associated garages, new access road and infrastructure following the demolition of existing buildings. Permission was granted in April 2016 with a number of conditions being imposed. Condition 2 require that the development be carried out in accordance with the approved plans which were listed by reference and title. The proposal is for the following plans to be amended due to a number of minor amendments to housetypes, materials, plot numbers and the introduction of railings and gates to the site access.

- Site Plan 15-018-P01C
- Enclosures 15-018-P05C
- Frobisher house type 17/100/FR/P01
- Haworth house type Hh_P01A
- Kingsley house type 17/100/KI/P01
- Wollaston house type 17/100/WO/P01
- Street Scene 15/018/P04A
- House Type for Plot 11 15/018/P02A
- House Type for Plot 01 15/018/P03A
- Street Scene & Materials 15/018/P04B

- Updated to match revised house type elevations

5. Summary of Publicity

5.1 Neighbouring properties were notified and a site notice posted with one letter of representation being received, commenting that now works have commenced on site there are problems with site vehicles blocking the road, parking problems and issues with dust.

5.2 As the application relates to amendments to design, materials and boundary treatments, these issues have no bearing on the merits of this current application. However, the applicant has been advised of the resident's concerns and the Council's Enforcement Officer is monitoring the situation.

6. Summary of Consultations

6.1 **County Highways** have no objections regarding the variation of condition 2.

6.2 **Arboriculturist** has no objections to the proposal

7. Policy Considerations

7.1 The approved full planning application was considered to be in accordance with the following policies:

7.2 National Planning Policy Framework

7.3 Central Lancashire Core Strategy - Policy 1: Locating Growth, Policy 4: Housing Delivery, Policy 5: Housing Density, Policy 6: Housing Quality, Policy 7: Affordable and Special Needs Housing, Policy 17: Design of New Buildings, Policy 22: Biodiversity and Geodiversity, Policy 27: Sustainable Resources and New Development, Policy 29: Water Management;

7.4 South Ribble Local Plan 2012-2026 - Policy G1: Green Belt, Policy G10: Green Infrastructure Provision in Residential Developments, Policy G14: Unstable or Contaminated Land, Policy G16: Biodiversity and Nature Conservation.

7.5 In respect of this current application, the main policy consideration is **Policy G17: Design Criteria for New Development** which permits new development provided that the proposal does not have a detrimental impact on neighbouring buildings or the street scene by virtue of its design, height, scale, orientation, plot density, massing, proximity, use of materials. Furthermore, the development should not cause harm to neighbouring property by leading to undue overlooking, overshadowing or have an overbearing effect; the layout, design and landscaping of all elements of the proposal, are of a high quality and will provide an interesting visual environment which respects the character of the site and local area; the development would not prejudice highway safety, pedestrian safety, the free flow of traffic and provides parking to the adopted standards set out in **Policy F1**; and the proposal would not have a detrimental impact on landscape features such as mature trees, hedgerows, ponds and watercourses.

8. Material Considerations

8.1 History and Principle of Development

8.1.1 Historically the site was a poultry farm and, at that time, the Council received numerous complaints with regards to smell, flies, noise, pollution and health issues associated with the use. The poultry use ceased around 2007/2008 and the site was used for storage and distribution with the B8 Use Class without the benefit of planning permission. Both the permitted and un-permitted uses of the site were taken into consideration when determining the previous planning applications. It was considered that, as the site is adjacent to residential properties, the proposed redevelopment for residential use would relate well to the existing

properties. The proposed development also resulted in the removal of the B8 use and its associated buildings and areas of hard standing which was considered to be a non-conforming use in the Green Belt. It was also considered that the use of the site as a poultry farm and then for storage and distribution had a greater impact on the openness of the Green Belt and the purpose of including land within it compared to the proposed housing development. This permission established the principle of re-development of this site.

8.1.2 Despite the site having the benefit of outline approval, a full planning application was submitted for determination as the layout and access were different than the approved outline scheme. This scheme was also considered to be policy compliant and was approved in April 2016 with a number of conditions being imposed. Condition 2 required that the development be carried out in accordance with the approved plans. The proposal now is for a number of amendments to the scheme which results in changes to those approved plans. Each of the amendments are therefore considered in more detail, below:

8.2 Access

8.2.1 In respect of the full planning permission 07/2016/1746/FUL, the Committee Report indicated that the *“site will be accessed via a new access on to Ratten Lane and proposes a road widening for the frontage of the site with Ratten Lane from 3.5m to 4.5m and the provision of a 2.0m wide footpath for the full frontage of the site with Ratten Lane. Ratten Lane is an unclassified road and is categorised as a local access road with a speed limit of 20 mph fronting the site access.”*

8.2.2 The proposal now includes entrance gates and railings to the Ratten Lane frontage. The railings will be 0.9m iron railings in black with render finish 2.15m high gate posts with stone cappings to either side of the site access with 2m high double gates and a 1.8m high pedestrian gate to the eastern side. The gates will be set back from the highway by 7m to allow for cars to pull off the highway in order to access the site.

8.2.3 County Highways have no objections to the proposed access gates or railings.

8.2.4 The amendments to the ‘Enclosures’ plan also proposes a 0.9m high post and rail fence introduced to the southern and western boundary to replace the approved 1.8m screen fence. This will provide plots 5 to 10 with open views to the open green fields beyond the site. The remaining boundary treatments are as approved. It is considered that the amendments are policy compliant and have no undue impact on the character and appearance of the area.

8.3 Residential Amenity

8.3.1 The proposal includes a number of amendments to some of the housetypes, as follows:

- Frobisher house type to plots 3, 6 and 7 - Bi-fold doors ground floor; first floor layout amendments; window and door sizes and positions altered.
- Haworth house type to plot 5 - rear single story element increased in size; ground and first floor layout amendments; window and door sizes and positions altered.
- Kingsley house type to plots 2 and 9 - bi-fold doors added at ground floor; rear gable end removed in favour of a hipped end; roof pitch reduced over the front hipped gable to make ridges the same height.
- Wollaston house type to plots 4, 8 and 10 - roof light added to front elevation; first floor layout amended and windows adjusted to suit; circular window to front elevation removed.

8.3.2 The application site is adjacent to existing dwellings to the east and west along Ratten Lane. No 55 Ratten Lane is the closest property which is a previously extended semi-detached dwelling with an attached garage closest to the site boundary. To the eastern boundary is No 45 Ratten Lane. A row of trees form part of the boundary with the application site.

8.3.3 No amendments are proposed to the dwellings to plot 1 adjacent No 45 or plot 11 adjacent No 55. The Kingsley housetype to plot 2 is amended, as outlined above. These proposed amendments are considered to reduce the overall impact on this housetype and therefore the proposal will create no additional impact on the existing property.

8.4 Character and Appearance

8.4.1 Existing properties on Ratten Lane are mainly bungalows, both detached and semi-detached, with some dormer bungalows and mainly with low level rooflines. The proposed dwellings are to be two-storey in scale with the exception of the two properties fronting Ratten Lane which are to be 1.5 storey. As indicated above, no amendments are proposed to the dwellings to plots 1 and 11 fronting Ratten Lane and therefore the proposed amendments will not have any undue impact on the character or appearance of the area.

8.4.2 The pallet of materials to be used for the proposed dwellings have also been amended with the submitted 'Street scene & materials' plan being updated to Revision B and lists the materials schedule. The change in materials is minor and does not impact on the overall appearance of the development.

9. Conclusion

9.1 The proposal amendments to the approved scheme are considered to be minor material amendments which do not have any additional impact on existing residential properties or the character and appearance of the area. The proposed introduction of railings and gates to the site's frontage with Ratten Lane have no impact on highway safety and County Highways have no objections to the proposals. The amendments are considered to be policy compliant and therefore the application is recommended for approval subject to the re-imposition of previously imposed conditions with the amendments made to condition 2 and subject to a Deed of Variation to the Section 106 Agreement to reflect this new permission.

10. Recommendation

10.1 That Members be minded to approve the application with the decision being delegated to the Chairman of Planning Committee in association with the Planning Manager upon the successful completion of a Deed of Variation to the Section 106 Agreement to secure a scheme for the provision of on-site public open space, maintenance of the roads, sewers and street lighting on the site, and a commuted sum in lieu of on-site affordable housing.

11. 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 Dwg 15/018/P01 Rev C Site Layout: 15/018/P02 Rev A Plot 11 Proposed Floor Plans and Elevations: 15/018/P03 Plot 1 Proposed Floor Plans and Elevations: 15/018/P04 Rev B Street Scene and Materials: 15/018/P05 Rev C

Enclosures Plan and Details: 17/100/WO/P01 Wollaston Housetype: 17/100/FR/P01 Frobisher Housetype: Hh_P01 Rev A Haworth Housetype: 17/100/KI/P01 Kingsley Housetype: GAR/G09 Rev A Double Garage Pyramid: or any subsequent amendments to those plans that have been agreed in writing by the Local Planning Authority.

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 Construction Management 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 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 works

REASON: To safeguard the amenities of neighbouring properties in accordance Policy 17 in the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

4. Prior to the commencement of development hereby approved, 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 & 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 IIA, 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 building structures, 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 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.

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. 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.

REASON: To ensure that the site investigation and remediation strategy will not cause pollution of ground and surface waters both on and off site, in accordance with Policy 17 in the Central Lancashire Core Strategy and Policy G14 in the South Ribble Local Plan 2012-2026

5. 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 (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 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, in accordance with Policy 29 in the Central Lancashire Core Strategy

6. 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

7. The new estate road for the development shall be constructed in accordance with the Lancashire County Council Specification for Construction of Estate Roads to at least base course level up to the entrance of the site compound before any development takes place within the site and shall be further extend before any development commences fronting the new access road. Reason: To ensure that satisfactory access is provided to the site before the development hereby permitted becomes operative.

8. 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. Reasons: 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.

9. Before the access is used for vehicular purposes the visibility splays measuring 2.4 metres by 39 metres in both directions to be provided, measured along the centre line of the proposed new road from the continuation of the nearer edge of the existing carriageway of Ratten Lane, to the satisfaction of the Local Planning Authority. The land within these splays shall be maintained thereafter, free from obstructions such as walls, fences, trees, hedges, shrubs, ground growth or other structures within the splays in excess of 1.0 metre in height above the height at the centre line of the adjacent carriageway.

REASON: To ensure adequate visibility at the street junction or site access in the interest of highway safety in accordance with Policy G17 in the South Ribble Local Plan 2012-2026

10. Notwithstanding the provisions of The Town and Country Planning (Development Management Procedure) (England) Order 2015 and the Town and Country Planning (General Permitted Development) (England) Order 2015, 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 safeguard residential amenity and to provide satisfactory off-street parking facilities in accordance with Policy 17 of the Central Lancashire Core Strategy and Policy G17 in the South Ribble Local Plan 2012-2026

11. Prior to first occupation of the dwellings hereby approved, one Electric Vehicle Recharge point shall be provided to all dwellings with one or more off-street parking space/garage space integral to the curtilage of the property, and thereafter maintained to the satisfaction of the Local Planning Authority.

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

12. 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 and Policy G16 in the South Ribble Local Plan 2012-2026

13. Prior to the commencement of development, a detailed method statement for the removal or long-term management /eradication of invasive plants, as identified under the Wildlife and Countryside Act 1981 shall be submitted to and approved in writing by the Local Planning Authority. The method statement shall include proposed measures to prevent the spread of invasive plants during any operations such as mowing, strimming or soil movement. It shall also contain measures to ensure that any soils brought to the site are free of the seeds / root / stem of any invasive plant covered under the Wildlife and Countryside Act 1981. Development shall proceed in accordance with the approved method statement.

REASON: The spread of invasive plants is prohibited under the Wildlife and Countryside Act 1981. Without measures to prevent spread as a result of the development there would be the risk of an offence being committed and avoidable harm to the environment recurs

14. The development hereby approved shall be carried out fully in accordance with Chapter 6. Mitigation/Recommendations in the submitted Ecological Appraisal by Envirotech dated 29/10/2015. These measures shall be fully implemented by a competent, professional person (as approved by the Wildlife Trust). These measures shall be retained within the development at all times thereafter.

REASON: To ensure that adequate provision is made for these protected species in accordance with Policy 22 in the Central Lancashire Core Strategy and Policy G16 in the South Ribble Local Plan 2012-2026

15. 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.

16. 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 it can be assured that the design meets the required dwelling emission rate

17. 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.

12. Relevant Policy

- G17 Design Criteria for New Development
- F1 Car Parking