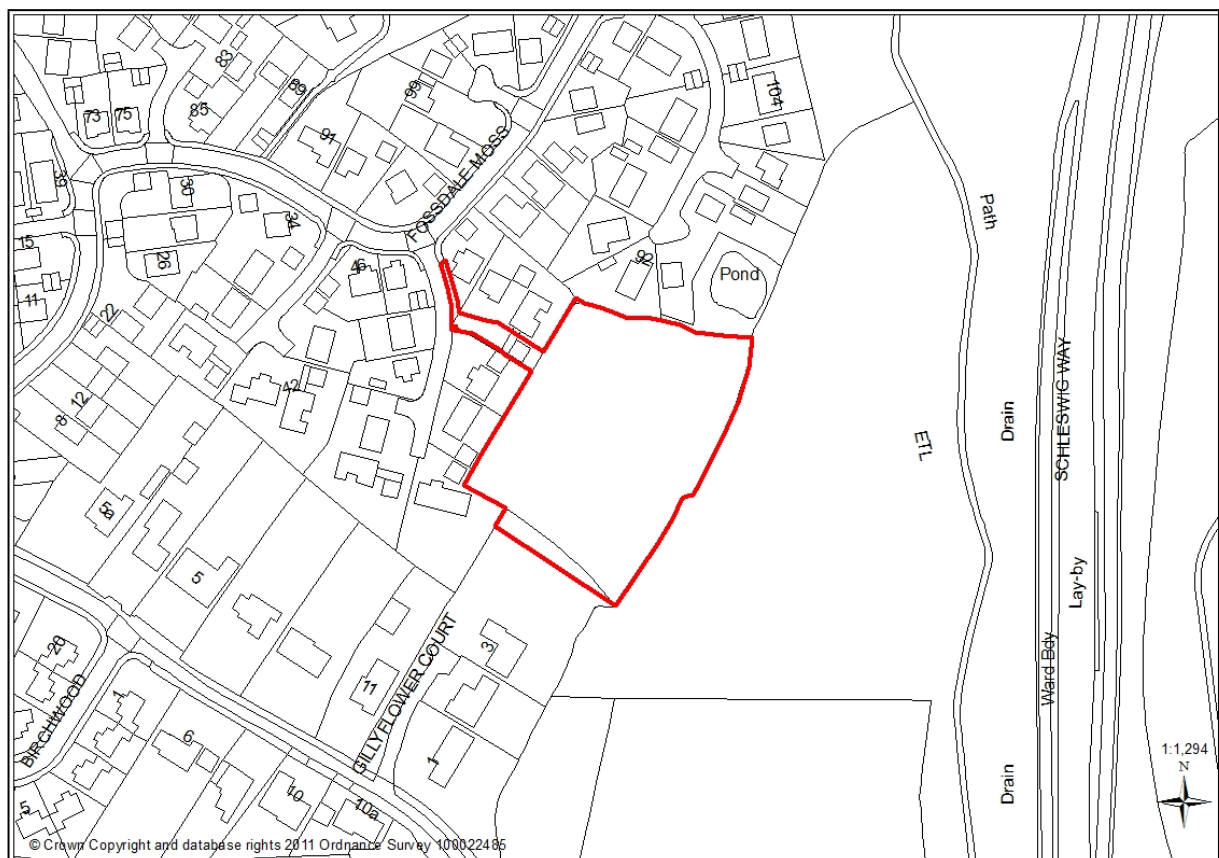


Application Number	07/2017/0960/FUL
Address	Land To The Rear Of 60 - 64 Fossdale Moss Moss Side Leyland Lancashire
Applicant	Five Star Development Homes Ltd
Agent	Clark Planning Consultants Ltd
14 St Clements Road Wigan WN1 2RU	
Development	Erection of 12 dwellings and associated garages together with access following partial demolition of existing bungalow at 64 Fossdale Moss and demolition of garage
Officer Recommendation	Refusal
Officer Name	Mrs Debbie Roberts
Date application valid	12.04.2017
Target Determination Date	12.07.2017
Extension of Time	None



1. Report Summary

1.1. The Fossdale Moss site is a fairly rectangular, unmanaged tract of land (approx. 0.5 ha) located off Fossdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area.

1.2. Abutting the site in the north are the rear gardens to 92 and 94 Fossdale Moss and a large pond. Immediately adjacent in the west are no's 58-64 (evens) Fossdale Moss which back onto the development site. No's 50, 62-68 (evens) would also face the proposed access way; 62-68 being particularly affected.

1.3. In the south is the recently developed Gillyflower Court – this separated from the proposal site by a small section of field, and to the east is a large tract of Council owned open land designated as Green Infrastructure (Policy G7) and Green Corridor/Wedge (Policy G12) by the Local Plan. Beyond this is the Schleswig Way dual carriageway. A belt of mature trees and narrow watercourse also denotes the eastern boundary

1.4. The proposal is for a residential development of 12 detached dwellings with associated garages, and accommodating works to no's 64-68 Fossdale Moss; proposed access to be between these properties and no: 62.

1.5. An open space contribution of £7,128 has been calculated but given the scale, nature and location of the proposed development, it is considered that open space should be provided off site. It has been suggested that the financial contribution would be used to improve and extend car parking facilities to serve sports pitches at Moss Side Playing Fields. This requirement can be secured as part of the S106 Agreement should committee be minded to approve. In addition a Community Infrastructure Levy of £183,183 is payable which will contribute to infrastructure requirements contained within the Regulation 123 list.

1.6. Proposed house type designs are not considered to be out of character with the surrounding area, and adequate garden space in comparison to adjacent residential properties is proposed. Proposed development is not considered to result in overdevelopment of the site and inter-relationships between existing and proposed properties would not appear to result in undue overlooking, loss of privacy or over dominance.

1.7. At the time of writing this report, and following a full first round of consultation, representation was made by 27 respondents. A second consultation period of two weeks was undertaken following minor changes to the scheme; this period ends at close of play on the 5th July and as such late comments will be reported verbally at committee. A late update sheet will also be made available where appropriate. Statutory consultee comments have been addressed either by amendments to the proposal, or by condition.

1.8. County Highways raised no objections to the proposed development, considering that the proposed scheme would not materially increase traffic within the estate and would have a *"negligible impact on safety and capacity in the immediate vicinity of the site"*. The proposed development also provides an acceptable level of off-street parking for both existing and proposed properties. Whilst no objection to the access road was received from LCC from a technical perspective, in assessing the proposal they would not have taken into account how the proposed access road would impact on the residential amenity of neighbouring properties.

1.9. Fossdale Moss is characterised by short cul-de-sac spurs, each comprising a small number of residential properties, off an estate road. The application proposes an additional cul-de-sac off one of the existing cul-de-sac spurs in order to access the development which would sit at the rear of existing properties. Whilst this proposed access arrangement might

be acceptable from a technical highway perspective, and despite efforts to introduce more space between existing properties (62-68 Fossdale) and the proposed roadway, the access still appears to be 'shoe-horned' between the southern elevation of 64 Fossdale Moss and the northern (side) elevation of at no: 62. The proposed access road and its northern footpath would be situated between 3.5m and 4m from the southern (front) elevation of 64 Fossdale Moss. There are few examples in the immediate area where the inter-relationship between dwellings and the adjacent highway is so restricted – a daytime site visit found the cul-de-sac to be particularly full during a period when fewer residents are presumably at home – and as such the proposal is considered to be seriously out of keeping with the character of the residential area. The resulting constrained, visually intrusive development which would introduce a significant secondary spur to an otherwise evenly spaced locale would be detrimental to the residential amenity and character of the area. It is the Officer's opinion that the proposed development does not achieve the high standards of design required of Local Plan Policy G17 (Design) and paragraph 17 of the NPPF which states that '*planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings*'. The proposed for these reasons is considered contrary to the requirements of Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).

1.10. To enable the proposed access, a 4m section of the front of no: 64 Fossdale would be removed with existing windows relocated, and minor works to the garden of no's 66 and 68 required. If Members are minded to approve the application this can be required by way of inclusion within a Section 106 Agreement.

1.11. The cul-de-sac to which the proposed access road would connect comprises 9 detached properties, with a further two at the cul-de-sac entrance. The carriageway is 5m wide with no parking restrictions in place. There is no footway within the cul-de-sac, with only small sections of service strips in front of driveways providing an intermittent, makeshift pavement for pedestrians. It is noted that as part of the proposed development a 15m long stretch of footpath would be provided along the eastern side of the cul-de-sac to connect to the existing footpath on the main Fossdale Moss estate road. The proposed development would however more than double the number of properties that the cul-de-sac spur off Fossdale Moss (50-66 Fossdale Moss – even numbers only) serves. Whilst this may not have technical highway and pedestrian safety implications, it is considered to have a detrimental impact on the residential amenity of the occupants of properties within the cul-de-sac in terms of an increase in traffic noise and congestion resulting from the additional properties. This reduction in the quality of the residential environment is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).

1.12. It must be acknowledged that the proposal does bring some benefits; namely improved pedestrian safety following installation of a 15m stretch of footpath along the cul-de-sac spur, a £7,128 public open space contribution to improve public open space within the locality, a CIL contribution of £183,183 towards infrastructure detailed in the Regulation 123 list and delivery of 12 dwellings to contribute to the Council's housing land supply requirement. These benefits however must be balanced against the effect that the proposal would have on the areas character and appearance, and on the amenity of neighbouring residents by virtue of additional noise, traffic generation and potential congestion. It is therefore considered that any benefits gained by proposal – many of which would assist areas away from the cul-de-sac of Fossdale Moss, do not outweigh the harm resulting from approval of the proposed development.

1.13. For the above reasons, the proposed development which differs little from the former, refused scheme is considered to be contrary to the requirements of Policies 17 and 22 of the Central Lancashire Core Strategy and Policies B1 and G17 of the South Ribble Local Plan (2012-2026), and is therefore recommended for refusal.

1. Application Site and Surrounding Area

1.1. The Fossdale Moss site is a fairly rectangular, unmanaged tract of land (approx. 0.5 ha) located off Fossdale Moss, Leyland; a predominantly residential area designated by Policy B1 of the South Ribble Local Plan as Existing Built up Area.

1.2. Abutting the site in the north are the rear gardens to 92 and 94 Fossdale Moss and a large pond. Immediately adjacent in the west are no's 58-64 (evens) Fossdale Moss which back onto the development site. No's 50, 62-68 (evens) would also face the proposed access way; 62-68 being particularly affected.

1.3. In the south is the recently developed Gillyflower Court – this separated by a small field from the proposal site, and to the east is a large tract of Council owned open land designated as Green Infrastructure (Policy G7) and Green Corridor/Wedge (Policy G12) by the South Ribble Local Plan. Beyond this land is the Schleswig Way dual carriageway.

1.4. A belt of mature trees and narrow watercourse are present along the eastern boundary

2. Site Context / Planning History

2.1. Apart from pre-application advice, there is only one planning application on the history of this site. Application 07/2016/0299/FUL for erection of 12 dwellings, garages and associated works following demolition of existing garage at 64 Fossdale was refused in September 2016 by this committee for the following reasons; this proposal is a slightly amended version of the same scheme:

'That the increase in traffic flow within the cul-de-sac spur off Fossdale Moss (50-66 Fossdale Moss - even numbers only), and the resulting amount of traffic and associated traffic noise, resulting from the proposed vehicular access would have a detrimental impact on the residential amenity of the occupants of neighbouring properties within the cul-de-sac. This is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).'

'The proposed access road between 62 and 64 Fossdale Moss, by virtue of its size, design and proximity, would appear cramped in the streetscene. It would be situated in very close proximity to the southern (front) elevation of 64 Fossdale Moss and, as such, would be seriously detrimental to the character and appearance of the residential area. This is contrary to Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).'

An appeal against refusal of this proposal (Ref APP/F2360/W/17/3171469) has been lodged with the Planning Inspectorate but is yet to be decided.

3. Proposal

3.1. The application seeks planning permission for erection of 12 no: dwellings with associated garages on land at Fossdale Moss, Leyland with associated works. Access to the site would be through the existing residential area of Fossdale Moss, but requires major remodelling of one adjacent property (no: 64) and minor works to land fronting no's 66 and 68.

3.2. Five house types would be traditionally styled over three floors (two floors and roof space accommodation with velux roof lights). Types A (4 bed) & D (5 bed) include gabled front elevations and detached garages, whilst Types B (4 bed), C & E (5 beds) are similarly styled but with integral garage space. Each has a half hipped roof with a maximum height of 8.4m and eaves to 4.7. Single garages to Types A and D would be 3.6m high with eaves to 2.2m, and the double to Type D would measure 4m to the ridge and 2.7m to eaves.

3.3. More than adequate levels of parking has been identified for each property, and although waste storage has not been shown access to the rear of each proposed dwelling is possible. A condition to require implementation of waste storage is considered prudent.

3.4. Existing trees bordering the site would be retained and protected during construction, and some domestic style landscaping included within the site itself. A central square/ home zone offers some communal space although this is unlikely to be useable space.

3.5. Proposed access between no's 62 and 64 Fossdale Moss would require demolition of a double garage linked to no: 64; this would be rebuilt within the proposal site. Some remodelling of no: 64 would also take place – namely removal of a 4m section from the front gable, repositioning of the side door to the rear and a large extension to the rear. This extension would be permitted development and has not been considered. Following redevelopment, no: 64 would sit between 3.5m and 4m from the proposed northern pavement. Works to properties outside the site boundary would be secured by S106 legal agreement

3.6 The proposed new access road would be constructed beyond the northern side boundary of 62 Fossdale Moss with an intervening, partially landscaped buffer-strip comprising tall shrubs. The existing evergreen hedge to the front of 62 Fossdale Moss along the northern side boundary does not form part of the application site. Existing trees along the site boundaries would be retained.

3.6. A laurel hedge would be removed from the service verge outside no: 68 and replaced with a short stretch of footpath behind which is a 1.8m dwarf wall with timber infills. 1m high railings would also be installed along the frontage of 64-68 on the northern edge of the proposed access and pavement, and outside proposed plots 10 & 11. A pavement would run along the northern edge whilst on the southern side a shorter pavement would be installed outside Plots 10 and 11 only. A 1m post and rail fence would secure outer areas of the site.

3.7. Density proposed is approximately 25 dwellings per hectare; more than acceptable in development terms.

4. Summary of Supporting Documents

4.1. The application is accompanied by the following:

- Ecological Assessment/Bat Survey (ERAP: 2016-122 / July 2016)
- Ecological Reasonable Avoidance Measures Statement – Amphibians (ERAP 2016-122: August 2016)
- Construction Management Statement
- Proposed drainage solutions
- Noise Impact Assessment (Royal Haskoning DHV: I&BPB6033R001F01 v 1 / 22.2.17)
- Design & Access Statement (Clark Planning Consultants: JDC/Leyland/17/April 17)
- Transport Statement/Technical Note (Royal Haskoning DHV: PB6033/21.2.17)
- Tree and Arboricultural Impact Assessment (Peake Active Tree Management: QATM0005 16: 23.6.16)
- Proposed Site Plan (Francis Haigh 15/50/SK7 Rev S)
- Streetscene Plan (Francis Haigh 16/10/02P Rev C)
- House Type Drawings (Francis Haigh 16.10.04P, 05P, 06P, 07P, 08P and 09P)
- Illustrative Masterplan (Broadway Malyan: July 2016)
- Topographical Survey (Survey & Design Ltd: SDL1278/3: 9.12.15)

5. Representations

5.1. Summary of Publicity

5.1.1. A site notice and newspaper advertisement have been posted, and 99 neighbouring properties consulted. A second two week period of consultation was also undertaken following minor amendments to the plan; late representation will be made verbally at committee. Ward Councillors Mrs and Michael Green have also been notified.

5.2. Letters of Objection

5.2.1. 27 letters of objection were received. Comments made are summarised as:

Traffic/Highways Impact

- Increased traffic volume (133% suggested), flow and resulting noise; particularly as there is only one restricted access into/out of the site
- Existing traffic problems on Cocker, Dunkirk & Paradise Lanes & Fossdale Moss which would be compounded by additional properties
- Increased congestion in adjacent areas
- Existing on road parking from '*inconsiderate neighbours*' has not been taken into account by the applicants Traffic Assessment.
- Excessive parking at no: 66 whose drive would be reduced further
- Highways/pedestrian safety during and after construction
- Inadequate road widths proposed which will cause issues in general highway terms, and for emergency and service vehicles
- 1.8m fence/wall proposed at access would be dangerous and out of keeping with area

Impact upon Neighbouring Properties

- Loss of neighbour amenity and quality of environment in what is a quiet area
- Unacceptable proximity to no's 62 and 64 Fossdale despite attempts to widen the proposed access
- Additional noise and nuisance from new properties and during construction in a relatively quiet area. A degree of disturbance is an inevitable but temporary nuisance. Should the application be approved however this can be controlled by suitable condition
- Loss of privacy to adjacent neighbours and those along the access route; particularly no 62 when taking in the sites varying topography.
- Respondent questions the validity of the applicants noise report (see Environmental Health comments below)
- Over dominance and loss of amenity as a result of access adjacent and properties to the rear of no:62

Character and Design

- Impact upon character of the area
- No need for development as the estate '*is already full*'
- Part demolition will result in 13 properties which do not fit in with character of the existing estate
- Original estate designed with short, cul-de-sac off shoots not extended access roads
- Boundary treatments have not been identified adjacent to no: 62 and to the rear of no's 60 and 62. A condition to require details of the same is therefore considered necessary.

Environmental Impact

- Environmental impact following loss of natural habitat
- *'Living near to nature is good for mental and physical health'*
- Potential flooding issue as proposed garage to no: 64 is lower than existing properties

Other

- Site is landlocked and inappropriate for development
- Proposal does not address the reasons for earlier refusal, and is a poorly thought out attempt to gain approval
- Local Plan does not place an over reliance on windfall sites in the area

Officer Comment: It should be noted that 2 of those responding objected but did not make specific reference to any issue.

5.2.2. Comments also made which as non-material considerations have not been taken into account are:

Noise

- Concerns presented with regards to potential noise associated with occupation of the proposed units. It is not uncommon for residential properties to share party boundaries with other residential properties; such inter-relationships do not generally result in unacceptable noise disturbance following occupation.

Infrastructure & Landscaping

- Respondent questions who will maintain proposed landscaping. Should the application be approved landscaping within each plot would be in the control of the owner/occupiers. Landscaping outside of domestic curtilages would either be adopted as part of the highway or ownership transferred to one of the plots.
- Neighbours highlight that no consideration has been given to the siting of street lamps. This is not a material planning consideration and would be determined by County Highways as part of the road adoption process.

Land Use

- Neighbours question the need for additional dwellings in the locality. Although not an allocated housing site the Local Plan does allow for windfall development in line with the NPPF. The sites 'Existing Built up Area' designation also includes an in-principle presumption towards development which includes for residential purposes.
- Respondent suggests that there is a sewer running between no's 62 and 64 which will restrict development of the access. A check of the United Utilities Safedig website identifies surface and foul water pipework in front of the dwellings but not between. Private drainage infrastructure information is not however available.

Miscellaneous

- Suggestion that development included bungalow properties not two/three storey ones in line with Government support for housing for older people. Although a valid request this determination must consider the proposal submitted and not alternatives submitted by third parties.
- A neighbour questioned the applicant's suitability as a developer and their financial position; citing the incomplete Gillyflower Court development as example of this

developers work. As planning permissions are tied to the site and not the applicant such an assessment would hold no purpose. Regardless of this, the history of a developer is not a material planning consideration.

- Concern has been raised by neighbours at the need for access to the electricity junction box and potential for damage to the service strip outside no: 62 in existing highway. Any damage to the adopted highway should be reported to County Highways to investigate.
- Neighbours have highlighted covenants on existing properties on Fossdale Moss that would prevent the alterations to boundary treatments proposed. Such covenants are not a material planning consideration and it would be up to the house builders who prepared the covenants to enforce its requirements, should they wish to do so

Comments with regards to the future use of land between this proposal site and Gillyflower Court

- *'What are you thinking allowing this consent'*
- Impact upon thicket of trees at the rear of 11 Cocker Lane should construction vehicles/storage exceed the sites boundary – the thicket sits some 70m south, and is separated by an area of land excluded from the development site.
- Reduction of G7 (Green Infrastructure) land – the site is not designated as G7 land

5.3. Letters of Support

5.3.1. None received

6. Summary of Responses

6.1. **Ecology Consultant** – surveys provided and assessed by the Councils Ecologist (ERAP 2016/122/July-August 2016) concluded that there was no evidence of bats within the garage to be demolished or detected by the dusk emergence survey on site. The presence of Great Crested Newts at the adjacent pond has been reasonably discounted through Environmental DNA analysis, and whilst a second pond connected to the site by suitable terrestrial habitat is present within 270m of the site, compliance with the Reasonable Avoidance Measures Method Statement is considered acceptable. Condition to this effect is recommended. A condition to require control of the two invasive plant species on site is also considered necessary.

6.2. **Environmental Health** - the applicant submitted a noise impact assessment which has been assessed as unacceptable by EH. Although complied by a reputable company this assessment was compiled in response to a specific matter arising from an earlier appeal, and not for the purposes of this application. As such the report on this occasion has been discounted. The applicant does raise a valid point that the earlier reason for refusal which was based in part on the impact of potential traffic noise cannot be substantiated without the benefit of a professional noise assessment. The opportunity to submit such verification however has again been missed and as the reason for refusal dealt also with other matters of residential amenity, this argument does not change the Councils stance.

6.3. Should permission be granted, Environmental Health have recommended that conditions are imposed with regards to importation of materials, construction times, acoustic requirements and electric vehicle charging points. Although a Construction Management Scheme has been submitted it is not detailed enough and as such a condition to this effect is also recommended.

6.4. **Lancashire Constabulary** have no comments to make other than to recommend a number of crime prevention/reduction measures which have been passed to the applicant.

As site safety and security is predominantly the remit of the Health and Safety Executive, these have also been included as informative notes should permission be granted.

6.5. **Lancashire County Archaeology** has no comment to make

6.6. **Lancashire County Council Education** are responsible for provision of school places across the county. Following assessment of the proposal and available school spaces in the immediate area, LCCE seek a financial contribution of £71,086.55 in respect of 5 no: places on the back of this development.

6.7. Community Infrastructure Levy is a charge on some forms of development to help deliver infrastructure improvements relating to matters such as transport, education, health and leisure as identified on the Regulation 123 list (Community Infrastructure Regulations 2010 (as amended)). Regulation 123 restricts the use of planning obligations for infrastructure that will be funded in whole or part by CIL, to ensure no duplication (double-dipping) between the two types of financial contribution. As the 123 list already includes provision for contribution towards a Leyland/Farington 2 form entry primary school which would be funded by combined CIL 123 payments, this education obligation would constitute double dipping. As such LCCE's request cannot be imposed.

6.8. **Lancashire County Council Highways** have no objection confirming that the level of traffic generated from the proposal should have a '*negligible impact on safety and capacity in the immediate vicinity of the site*'. LCC also confirms that the required sightlines from the proposed access onto Fossdale Moss are achievable over the existing adopted highway based upon the recommendations from Manual for Street.

6.9. Off road parking to proposed dwellings and no 64, access to no: 66 and a footpath proposed to the north of the access road are also considered acceptable. Conditions are recommended with regards to provision of wheel washing facilities, estate roads and highways works and submission of a traffic management plan covering the construction period.

6.10. **Lancashire County Council Local Lead Flood Authority** have objected to the scheme because information supplied is very weak. They have however agreed to overcome the situation with conditions. They have also provided an information checklist for the applicants use when submitting additional information required by condition.

6.11. **South Ribble's Arborist** does not object to proposals to lift the adjacent tree canopy and removal of deadwood, although a condition to protect the trees before and during construction is considered necessary. He does have some concern however with regards to potential overshadowing on the rear gardens of Plots 3 to 9 which may lead to future tree loss and recommends a pre-commencement condition requiring a sunlight/daylight analysis. An informative note detailing construction methods has also been suggested.

6.12. **United Utilities** have no objections but recommend that conditions are imposed with regards to foul and surface water provision. They also recommend consultation with the Local Lead Flood Authority and suggest a number of informative notes which would be included should permission be granted.

7. **Material Considerations**

7.1. **Site Allocation**

7.1.1. The site is designated under Policies B1 (Existing Built Up Area) of the South Ribble Local Plan 2012-2026 with its presumption towards redevelopment in allocated areas

provided that proposals would comply with requirements of the local plan relating to access, parking and servicing; would be in keeping with the character and appearance of the area, and would not adversely affect the amenity of nearby residents.

7.2 Policy Background

Additional policy of marked relevance to this proposal is as follows:

7.2.1 *National Planning Policy Framework*

7.2.1.1 The NPPF at Para 14: favours sustainable development '*which should be seen as a golden thread running through both plan-making and decision taking*', and supports sustainable economic growth to deliver, amongst other things homes. Given the sites location, and availability of local transport options it is the Officer's view that the site is sustainable and that the development accords with the overall principles of the NPPF; in particular:

7.2.1.2 **Chapter 6: Delivering a wide choice of high quality homes** notes that '*housing applications should be considered in the context of the presumption in favour of sustainable development*' (Para 49). The NPPF also supports the development of 'windfall' sites.

7.2.1.3 **Chapter 7: Requiring good design** attaches great importance to the design of the built environment which contributes positively to making better places for people.

7.2.1.4 **Chapter 11: Conserving and Enhancing the Natural Environment** – when determining planning applications, Local Planning Authorities should aim to conserve and enhance biodiversity as reflected by Core Strategy Policy 22

7.2.2 *Central Lancashire Core Strategy*

7.2.2.1 The Core Strategy was adopted at full Council on 18th July 2012, and is therefore a material consideration in the determination of this planning application.

7.2.2.2 **Policy 4: Housing Delivery** provides for, and manages the delivery of new housing; for South Ribble this amounts to 417 dwellings per year.

7.2.2.3 **Policy 5 : Housing Density** aims to secure densities of development in keeping with local areas, and which will have no detrimental impact on the amenity, character, appearance, distinctiveness and environmental quality of the area

7.2.2.4 **Policies 6: Housing Quality** and **27: Sustainable Resources and New Development** both aim to improve the quality of housing by facilitating higher standards of construction, greater accessibility and ensuring that sustainable resources are incorporated into new development.

7.2.2.5 **Policy 17: Design of New Buildings** requires new development to take account of the character and appearance of the local area.

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

7.2.3 *South Ribble Local Plan*

7.2.3.1 In addition to site allocation policy B1 the following are also pertinent:

7.2.3.2 Policy A1: Developer Contributions – new development is expected to contribute towards mitigation of impact upon infrastructure, services and the environment, by way of Section 106 agreement and/or CIL contributions.

7.2.3.3 Policy F1: Parking Standards requires all development proposals to provide car parking and servicing space in accordance with parking standards adopted by the Council.

7.2.3.4 Policy G13: Trees, Woodlands and Development states that development will not be permitted where it affects protected trees and woodland. Where loss of the same is unavoidable however this policy accepts suitable mitigation.

7.2.3.5 Policy G17: Design Criteria for New Development considers design in general terms, and impact of the development upon highways safety, the extended locale and the natural environment.

7.2.3.6 Chapter J: Tackling Climate Change looks to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources.

7.2.4 *South Ribble Residential Design SPD* discusses design in very specific terms, and whilst more attuned to domestic extensions is relevant with regards to separation of properties within and beyond the site bounds.

7.2.5 *Central Lancashire Open Space and Playing Pitch SPD* sets out the standards for provision of on and off site public open space and playing pitch provision

7.3 Impact of Development on Neighbouring Properties

7.3.1 A splayed distance of 14m would be present from the rear elevation of the dwelling on Plot 1 to the rear elevation of the detached two-storey dwelling at 92 Fossdale Moss. Whilst this distance falls short of the recommended 21m facing window separation distance, the offset relationship of the properties would prevent any impact in terms of overlooking / loss of privacy. A minimum distance of 21m would be present between the rear elevations of Plot 2 and the detached two-storey dwelling at 94 Fossdale Moss.

7.3.2 A minimum distance of 13m would be present between the blank side elevation of the dwelling proposed on Plot 10 and the main rear elevation of no: 62 Fossdale Moss. Although a conservatory/orangery is present at this property, proposed and existing boundary treatments and window placement on the proposed gable should restrict any loss of amenity.

7.3.3 The rear elevation of Plot 10 would indirectly face no: 58 Fossdale Moss at approximately 27m separation, whilst Plot 12 would sit some 11m from the rear of this property; although at a splay which acceptably restricts overlooking or loss of privacy.

7.3.4 Proposed inter-relationships between existing and proposed dwellings are considered to be acceptable in policy terms, and impact by virtue of overlooking, loss of privacy or overshadowing is not anticipated.

7.3.5 The proposed access is considered separately in the '*Design, Character & Appearance and Highways Consideration*' section of this report.

7.4 Design, Character & Appearance and Highways Consideration

7.4.1 Site Allocations Policy G17 (Design Criteria for new development) seeks to ensure new development relates well to neighbouring buildings and the extended locality, that layout, design and landscaping of all elements of the proposal are of a high quality;

providing interesting visual environments which respect local character, reflect local distinctiveness, and offer appropriate levels of parking and servicing space in line with Policy F1 (Parking Standards) of the same document. Core Strategy Policy 17 (Design of New Buildings) effectively mirrors these criteria.

7.4.2 In consideration of the above, local distinctiveness and character of the area have been assessed. This part of Leyland is a relatively modern (1970/80's), extensive housing estate, comprising a mix of detached, semi-detached and bungalow properties; the majority of which are accommodated within short cul-de-sac spurs off a central estate road. More traditional, detached properties exist to the south of the area on Cocker Lane but otherwise the locale is similar in design. The proposed house types are not considered to be out of character with the surrounding area and adequate garden space in comparison to nearby properties is indicated. In general design terms, and with a 25 dwelling per hectare density therefore the proposed development is not considered to result in overdevelopment of the site.

7.4.3 NPPF Para 61 however states that, *'although visual appearance of individual buildings are important factors, securing high quality and inclusive design goes beyond aesthetics. Planning decisions therefore should address the integration of new development into the natural, built and historic environment'*. In addition to proposed dwellings, the application proposes an additional spur off one of the existing cul-de-sac spurs in order to access the development to the rear of existing properties. Whilst this arrangement has been considered acceptable from a technical highway perspective, the proposed access road would appear to be 'shoe-horned' between the facing elevation of no: 64 and the detached garage of no: 62; despite alterations to existing properties to accommodate the new road. There are no inter-relationships similar to this in this fairly evenly spaced locale and, as such, the proposal is considered to be seriously out of keeping with the character of the residential area. The result would be a restricted and visually intrusive form of development which would be detrimental to the character of the area. It is for this reason that Officer's consider the design of the proposed development falls short of the high quality of design which Policy G17 of the Local Plan and paragraph 17 of the NPPF seeks. The proposed development is therefore considered to have a detrimental impact on the character and appearance of the area, contrary to the requirements of Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).

7.4.4 Overall traffic generation resulting from the proposed scheme is not considered to materially increase within the estate and would have a *"negligible impact on safety and capacity in the immediate vicinity of the site"*. Within their previous consultation response County Highways confirmed that sight lines from the proposed access onto Fossdale Moss are achievable over the existing adopted highway subject to the removal of a hedge within service verge to the north of the proposed access. The current scheme includes the removal of an existing laurel hedge along the boundary of 64 Fossdale Moss, with a 1.5m wide footpath proposed in its place to join with the existing footpath on the main Fossdale Moss estate road.

7.4.5 Whilst no objection to the access was received from a technical perspective, County's assessment of the proposal would not have considered whether the proposed access road would have an impact on the residential amenity of neighbouring occupants. The access road to serve the development would run between the existing two-storey detached dwelling at 62 Fossdale Moss and the detached bungalow at 64 Fossdale Moss, requiring the demolition of a double garage linked to 64 Fossdale Moss, and utilisation of the existing and partial driveways to 64 and 66 Fossdale Moss respectively. Off-street parking for 64 Fossdale Moss would take the form of a new detached double garage. The proposed new access road would then serve the 12 new dwellings and also 64 and 66 Fossdale Moss.

7.4.6 The cul-de-sac to which the proposed access road would connect comprises 9 detached properties, with a further two at the cul-de-sac entrance. The carriageway is 5m wide with no parking restrictions in place. There is no footway within the cul-de-sac, with only the sections of service strips in front of driveways providing intermittently a makeshift pavement for pedestrians. It is noted that as part of the proposed development a 15m long stretch of footpath would be provided along the eastern side of the cul-de-sac to connect to the existing footpath on the main Fossdale Moss estate road. The proposed development would however more than double the number of properties that the cul-de-sac spur off Fossdale Moss (50-66 Fossdale Moss – even numbers only) serves. Whilst this may not have significant highway and pedestrian safety implications, it is considered to have a detrimental impact on the residential amenity of the occupants of properties within the cul-de-sac in terms of an increase in traffic noise and congestion resulting from the additional properties. This reduction in the quality of the residential environment is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).

7.4.7 The proposed development provides adequate levels of off-street parking space (including garages) for both new and altered, existing dwellings in line with the parking standards contained within Policy F1 of the South Ribble Local Plan (2012-2026).

7.5 Natural Environment, Ecology and Ground Conditions

7.5.1 The application is accompanied by Ecological Assessment, Bat Survey, RAM Statement (ERAP 2016 122/2016) and Tree & Arboricultural Impact Assessment (Peake Active Tree Management QATM0005 16 23.6.16); each of which has been assessed as acceptable by the Councils statutory consultants (see above).

7.5.2 *Ecology* –The site does not contain any protected species, or habitats of national or local importance, and apart from peripheral woodland is of limited value to wildlife. The report affirms that measures to augment site biodiversity whilst retaining connectivity throughout green infrastructure areas could include suitable landscaping and additional enhancement measures; several of which have been suggested. Conditions to this effect have been included.

7.5.3 There are no other features of obvious landscape value on the site

7.6 Construction & Flood Risk Standards

7.6.1 One of the objectives of modern construction is to reduce energy use and carbon dioxide emissions in new developments; encouraging the use of renewable energy sources whilst improving the quality of housing by facilitating higher standards of construction. Conditions to ensure appropriate construction standards are therefore considered necessary should permission be granted.

7.6.2 Concerns have been received from neighbours about the potential for flooding. There is no recorded history of flooding on this site, it is not within Flood Risk Zones 2 and 3 and the Local Lead Flood Authority and United Utilities have raised no objections to the proposed development subject to the imposition of appropriate conditions. The concerns of neighbours relating to potential subsidence would be addressed through the submission of details for Building Regulations approval.

7.7 Developer Contributions

7.7.1 Local Plan Policy A1 (Developer Contributions) expects most new development to contribute towards mitigation against impact on infrastructure, services and the environment.

Contributions would be secured where appropriate through planning obligations (Section 106 agreement) and/or Community Infrastructure Levy.

7.7.2 Community Infrastructure Levy - CIL is payable on most approved properties. In this case the scheme as a whole amounts to an additional 2310m² of floor space which at the current rate would be payable at £183,183. Liability for this amount has been accepted by the applicant.

7.7.3 Public Open Space - The NPPF states that '*access to high quality open space makes an important contribution to the health and wellbeing of communities*'. As such, all new residential development resulting in a net gain of 5 dwellings or more must provide sufficient green infrastructure to meet the recreational needs of the development in accordance with specific but flexible standards. An open space contribution of £7,128 has been calculated but given the scale, nature and location of the proposed development, it is considered that open space should be provided off site. It has been suggested that the financial contribution would be used to improve and extend car parking facilities at Moss Side Playing Fields to serve the sports pitches. This requirement can be secured as part of the S106 Agreement should committee be minded to approve.

8. Conclusion

8.1 It must be acknowledged that the proposal does bring some benefits; namely improved pedestrian safety following installation of a 15m stretch of footpath along the northern edge of the cul-de-sac spur, a £7,128 public open space contribution to improve public open space within the locality, a CIL contribution of £183,183 towards infrastructure detailed in the Regulation 123 list and delivery of 12 dwellings to contribute to the Council's housing land supply requirement.

8.2 These benefits however must be balanced against the effect that the proposal would have on the areas character and appearance, and on the amenity of neighbouring residents by virtue of additional noise, traffic generation and potential congestion. It is therefore considered that any benefits gained by the proposal – most of which would assist areas other than the cul-de-sac of Fossdale Moss, do not outweigh the harm resulting from approval of the proposed development.

1.14. For the above reasons, the proposed development is considered to be contrary to the requirements of Policies 17 and 22 of the Central Lancashire Core Strategy and Policies B1 and G17 of the South Ribble Local Plan (2012-2026), and is therefore recommended for refusal for the following reasons.

- That the increase in traffic flow within the cul-de-sac spur off Fossdale Moss (48-68 Fossdale Moss - even numbers only), and the resulting amount of traffic, associated traffic noise and congestion, resulting from the proposed dwellings and vehicular access would have a detrimental impact on the residential amenity of the occupants of neighbouring properties within the cul-de-sac. This is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).
- The proposed access road between 62 and 64 Fossdale Moss, by virtue of its size, design and proximity, would appear restricted and visually intrusive in the streetscene. It would also be situated in very close proximity to the southern (front) elevation of 64 Fossdale Moss, to the side elevation of no: 62 Fossdale Moss and would fall short of the high quality of design expected. It is therefore considered to be seriously detrimental to the character and appearance of the residential area, and is contrary to Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).

RECOMMENDATION:

Refusal.

REASONS FOR REFUSAL:

1. That the increase in traffic flow within the cul-de-sac spur off Fossdale Moss (48-68 Fossdale Moss - even numbers only), and the resulting amount of traffic, associated traffic noise and congestion, resulting from the proposed dwellings and vehicular access would have a detrimental impact on the residential amenity of the occupants of neighbouring properties within the cul-de-sac. This is contrary to Policy B1 (criterion c) of the South Ribble Local Plan (2012-2026).
2. The proposed access road between 62 and 64 Fossdale Moss, by virtue of its size, design and proximity, would appear restricted and visually intrusive in the streetscene. It would also be situated in very close proximity to the southern (front) elevation of 64 Fossdale Moss, to the side elevation of no: 62 Fossdale Moss and would fall short of the high quality of design expected. It is therefore considered to be seriously detrimental to the character and appearance of the residential area, and is contrary to Policy G17 (criterion b) of the South Ribble Local Plan (2012-2026).

RELEVANT POLICY

NPPF National Planning Policy Framework

Central Lancashire Core Strategy

- 1 Locating Growth
- 3 Travel
- 4 Housing Delivery
- 5 Housing Density
- 6 Housing Quality
- 17 Design of New Buildings
- 22 Biodiversity and Geodiversity
- 27 Sustainable Resources and New Developments
- 29 Water Management

South Ribble Local Plan

- A1 Developer Contributions
- B1 Existing Built-Up Areas
- F1 Car Parking
- G13 Trees, Woodlands and Development
- G16 Biodiversity and Nature Conservation
- G17 Design Criteria for New Development

SPD Residential Extensions Supplementary Planning Document

SPD Open Space and Playing pitch